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Initial work programme of the Platform

Draft conflict of interest policy and procedures

Note by the secretariat

The secretariat of the United Nations Environment Programme has prepared a draft conflict of interest policy and procedures for the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (see annex), taking into consideration the comments provided by Governments and other stakeholders during the intersessional period. All the submissions received are also available online (www.ipbes.net). The annex has not been formally edited.

* IPBES/1/1.



Annex

Draft conflict of interest policy and procedures

I. Conflict of Interest (COI) Policy

A. Purpose of the Policy

1. The objective of the IPBES as stated in paragraph 1 of the “Functions, Operating Principles and Institutional Arrangements of the Platform” is to strengthen the science-policy interface for biodiversity and ecosystem services for the conservation and sustainable use of biodiversity, long-term human well-being and sustainable development. According to the Operating Principles of the Platform, in carrying out its work IPBES must be scientifically independent and ensure credibility, relevance and legitimacy through peer review of its work and transparency in its decision-making processes, and use clear, transparent and scientifically credible processes for the exchange, sharing and use of data, information and technologies from all relevant sources, including non-peer-reviewed literature, as appropriate.

2. The role of the IPBES demands that it pay special attention to issues of independence and bias in order to maintain the integrity of, and public confidence in, its products and processes. It is essential that the work of the IPBES is not compromised by any conflict of interest for those who execute it.

3. The overall purpose of this policy is to protect the legitimacy, integrity, trust, and credibility of the IPBES and of those directly involved in the preparation of reports and other deliverables, and its activities. This policy is principles-based and does not provide an exhaustive list of criteria for the identification of such conflicts. The Platform recognizes the commitment and dedication of those who participate in IPBES activities. The policy should maintain the balance between the need to minimise the reporting burden, and to ensure the integrity of the IPBES process. In this way, it seeks to encourage participation and to ensure that the representativeness and geographic balance of the Platform is not impaired whilst continuing to build and maintain public trust.

4. The IPBES Conflict of Interest Policy is designed to ensure that conflicts of interest are identified, communicated to the relevant parties, and managed to avoid any adverse impact on IPBES balance, products and processes, thereby protecting the individual, the IPBES, and the public interest. The individual and the IPBES should not be placed in a situation that could lead a reasonable person to question, and perhaps discount or dismiss, the work of the IPBES simply because of the existence of a conflict of interest.

5. Identifying a potential conflict of interest does not automatically mean that a conflict of interest exists. The purpose of the policy is to enable individuals to provide the relevant information necessary for each particular situation to be evaluated.

B. Scope of the Policy

6. This policy applies to senior IPBES leadership (officers of the Bureau, members of the Multidisciplinary Expert Panel (MEP)), members of the IPBES Working Groups, authors with responsibilities for report content (Coordinating Lead Authors, Lead Authors), Review Editors and the professional staff of any technical support units established. Professional staff of any technical support unit, who are employees of United Nations bodies, will be subject to the IPBES Policy and to the policy of their employer.

7. The policy applies to the development of any and all IPBES products including but not limited to: assessment reports; special reports; methodology reports; and technical papers.

8. The professional staff members of the IPBES Secretariat are employees of [*to be inserted*] and are subject to the disclosure and ethics policies, which include conflict of interest, of the organization(s) to which they are employees. Likewise, professional staff of any technical support unit, who are employees of the United Nations bodies are subject to the conflict of interest policy, of the organization(s) to which they are employees.

9. The policy will be executed to reflect the various roles, responsibilities and levels of authority, of participants in the IPBES process. In particular, consideration should be given to whether responsibility is held at an individual level or shared within a team; to the level of influence held over the content of IPBES products.

10. The application of the conflict of interest policy to those elected to positions within the IPBES should reflect their specific responsibilities.

C. Definition of Conflict of Interest and Bias

11. A “conflict of interest” refers to any current professional, financial or other interest which could:

- (i) Significantly impair the individual’s objectivity in carrying out his or her duties and responsibilities for the IPBES, or
- (ii) Create an unfair advantage for any person or organization.

For the purposes of this policy, circumstances that could lead a reasonable person to question an individual’s objectivity, or whether an unfair advantage has been created, constitute a potential conflict of interest. These potential conflicts are subject to disclosure.

12. A distinction is made between “conflict of interest” and “bias”, Bias refers to a point of view or perspective that is strongly held regarding a particular issue or set of issues. In the case of author and review teams, bias can and should be managed through the selection of authors and reviewers with a balance of perspectives. It is expected that IPBES author teams will include individuals with different perspectives and affiliations. Those involved in selecting authors will need to strive for an author team composition that reflects a balance of expertise and perspectives, such that IPBES products are comprehensive, objective, and neutral with respect to policy. In selecting these individuals, care must be taken to ensure that biases can be balanced where they exist. In contrast, conflict of interest exists where an individual

could secure a direct and material gain through outcomes in an IPBES product. Holding a view that one believes to be correct, but that one does not stand to gain from personally is not a conflict of interest.

13. The conflict of interest requirements in this policy are not designed to include an assessment of one's behaviour or character or one's ability to act objectively despite the conflict of interest.

14. This policy applies only to current conflicts of interest. It does not apply to past interests that have expired, no longer exist, and cannot reasonably affect current behaviour. Nor does it apply to possible interests that may arise in the future but that do not currently exist, as such interests are inherently speculative and uncertain.

15. Professional and other non-financial interests need to be disclosed only if they are significant and relevant. If in doubt about whether an interest should be disclosed, individuals are encouraged to seek advice from the appropriate IPBES body as defined in section II Implementation Procedures. Significant and relevant interests may include, but are not limited to, editorial roles on journals, advisory committees associated with private sector organizations, and memberships on boards of non-profit or advocacy groups. However, not all such associations necessarily constitute a conflict of interest.

16. Financial interests need to be disclosed only if they are significant and relevant. These may include, but are not limited to, the following kinds of financial interests: employment relationships; consulting relationships; financial investments; intellectual property interests; and commercial interests and sources of private-sector research support. Individuals should also disclose significant and relevant financial interests of any person with whom the individual has a substantial business or relevant shared interest. If in doubt about whether an interest should be disclosed, individuals are encouraged to seek advice from the appropriate IPBES body as defined in section II Implementation Procedures.

17. To prevent situations in which a conflict of interest may arise, individuals directly involved in or leading the preparation of IPBES reports or other products should avoid being in a position to approve, adopt, or accept on behalf of any government the text in which he/she was directly involved.

II. Implementation Procedures

Rule 1

These Implementation Procedures are designed to ensure that conflicts of interest are identified, communicated to the relevant parties and managed to avoid any adverse impact on IPBES balance, products and processes and also to protect the individual, the IPBES and the public interest.

Rule 2

1. These Implementation Procedures apply to all conflicts of interest as defined in Section C of the COI Policy and apply to the individuals listed in Section B "Scope".

2. Compliance with the COI Policy and Implementation Procedures is mandatory. An individual cannot participate in the IPBES' work where he/she has not complied with the COI Policy and Implementation Procedures. Where a conflict of interest is

identified, a person may only proceed to participate in IPBES activities if action is undertaken that resolves the conflict or the individual is an IPBES author subject to the provisions in Rule 6 of these procedures.

IPBES Bureau and MEP Members: Review process prior to appointment

Rule 3

1. The Conflict of Interest Disclosure Form (“the COI Form”) contained in the appendix to this document will be submitted to the Secretariat in respect of each nominee for election to the IPBES Bureau and the MEP.
2. The COI Committee will review the COI Forms and may request advice from the Expert Advisory Group on Conflicts of Interest (“the COI Expert Advisory Group”). Where the COI Committee determines that a nominee for Bureau or MEP membership has a conflict of interest that cannot be resolved, the individual will not be eligible for election to the Bureau or MEP.
3. The process above will also apply in respect of candidates for election to the IPBES Bureau who are nominated during the course of the IPBES session during which the relevant election is due to be held. In such cases, candidates will be required to complete the COI Form, and it will be reviewed by the COI Committee prior to the election.

IPBES Bureau and MEP Members: Review process after appointment

Rule 4

1. All IPBES Bureau and MEP members will inform the Secretariat annually of any changes in the information provided in their previously submitted COI Form.
2. The COI Committee will review the updated information, determine whether the relevant IPBES member has a conflict of interest that cannot be resolved and determine what further action is necessary in accordance with the COI Policy. The COI Committee may seek advice from the COI Expert Advisory Group.

CLAs, LAs, Rs and REs: Review Process prior to appointment

Rule 5

Before an individual is appointed as a Coordinating Lead Author (CLA), Lead Author (LA), Reviewer (R) and Review Editor (RE), the [relevant Working Group Bureau/Secretariat] will request the individual to complete a COI Form which will be submitted to the Secretariat. The [relevant Working Group Bureau/Secretariat] will then evaluate the form to determine whether the individual has a conflict of interest that cannot be resolved.

Rule 6

1. In exceptional circumstances, a conflict of interest on the part of an IPBES author which cannot be resolved may be tolerated where the individual is deemed to provide a unique contribution to an IPBES product and where it is determined that the conflict can be managed such that it will not have an adverse impact on the relevant IPBES report or product.

2. The [relevant Working Group Bureau/Secretariat] should refer such cases to the COI Committee for it to determine. In such cases, the COI Committee will publicly disclose the conflict and the reasons for determining that the individual may continue to contribute to the IPBES's work in spite of the conflict.

Rule 7

Candidates for the [professional staff of Technical Support Units (TSU), if established in organizations outside of the United Nations,] should, prior to their appointment, submit a COI Form to the [relevant Working Group/Secretariat] for evaluation.

CLAs, LAs, Rs and REs and TSUs: Review process after appointment

Rule 8

1. All CLAs, LAs, Rs and REs will inform the Secretariat annually of any changes in the information provided in their previously submitted COI Form. The [professional staff of TSUs if established in organizations outside of the UN] inform the [relevant Working Group/Secretariat] of any changes. The [relevant Working Group/Secretariat] will evaluate the revised information in accordance with the procedure for reviewing conflicts of interest issues prior to appointment.

2. CLAs, LAs, Rs and REs may request that the COI Committee reviews the determination by the [Working Group Bureau/Secretariat]. They will be bound by the relevant [Bureau/Secretariat] decision pending the outcome of the review.

3. The Working Group/Secretariat may seek advice on conflict of interest issues from the COI Expert Advisory Group and may refer issues to the COI Committee for it to determine.

4. The Working Group/Secretariat should submit an annual report to the COI Committee in relation to its consideration of conflict of interest issues.

Principles for Considering Conflict of Interest Issues

Rule 9

1. All of the bodies involved in advising on and deciding conflict of interest issues in respect of individuals under the COI Policy should consult the relevant individual where the body has concerns about a potential conflict of interest and/or where it requires clarification of any matters arising out of a COI Form and should ensure that the relevant individuals and, where appropriate the IPBES member which nominated the relevant individual, have an opportunity to discuss any concerns about a potential conflict of interest.

2. Where the COI Committee has determined that an individual has a conflict of interest that cannot be resolved, the relevant individual may request an IPBES Bureau review of the COI Committee's determination. The IPBES Bureau will review the determination at the first session following the request. The individual will be bound by the determination of the COI Committee pending the outcome of the review.

3. When considering whether an individual has a conflict of interest, the relevant body will, in consultation with the individual, explore options for resolving the conflict.¹

4. Members of the bodies which are involved in considering conflict of interest issues may not consider cases involving themselves and will recuse themselves in the event that the relevant body considers a potential conflict of interest concerning them.

Processing and Storage of Information

Rule 10

1. All COI Forms in respect of IPBES participants will be submitted to the Secretariat.

2. All COI Forms and any records of the deliberations of the COI Expert Advisory Group, deliberations and/or decisions of the COI Committee in relation to conflict of interest issues in respect of specific individuals and any information disclosed by individuals for the purposes of the COI Policy will be transferred to the Secretariat after they have been reviewed and will be securely archived by the Secretariat and retained for a period of five years after the end of the activity in which the relevant individual contributed, after which the information will be destroyed.

3. Subject to requirement to notify the existence of a conflict of interest to others under Rule 6 above, the information referred to above will be considered confidential and will not be used for any purpose other than consideration of conflict of interest issues under these Implementation Procedures without the express consent of the individual providing the information.

The COI Committee

Rule 11

1. A Committee on Conflicts of Interest (“the COI Committee”) will be established for the purpose of:

(a) Determining whether members of the IPBES Bureau and MEP have conflicts of interest;

(b) Determining conflict of interests cases referred to it by the relevant Working Groups;

(c) Reviewing the Working Groups decisions in respect of conflict of interest issues.

2. The COI Committee will comprise of all elected members of the Bureau and two additional members with appropriate legal expertise from [relevant organizations/the organizations hosting the Secretariat], appointed by those organizations.

¹ Individuals might, for example, resolve a conflict of interest by diverting themselves of the particular financial or other interests which gave rise to the potential conflict or by recusing themselves from discussions or decision-making processes in respect of which they have a relevant conflict.

3. The COI Committee will elect a Chair at its first meeting.
4. The members of the COI Committee are expected to reach consensus. If, exceptionally on matters of particular urgency, consensus is not possible, the COI Committee Chair may take the final decision, having regard to the weight of opinion in the COI Committee. The Committee will decide upon its method of working and apply it on an interim basis until the IPBES Plenary approves it.
5. The COI Committee should submit a report on its activities to the IPBES Plenary at least four weeks before each session. Issues of confidentiality will be addressed by the COI Committee as early as possible.

The COI Expert Advisory Group

Rule 12

1. An Expert Advisory Group on Conflicts of Interest is established. It will have the following functions on request:
 - (a) Review COI Forms and advise on COI issues in respect of individuals who have been nominated for election to the IPBES Bureau and MEP;
 - (b) Provide advice on conflict of interest issues to the relevant Working Groups and the COI Committee;
 - (c) Provide guidance in relation to conflict of interest issues to individuals who are likely to become subject to the COI Policy.
2. The COI Expert Advisory Group will consist of three individuals with experience in matters related to conflict of interest issues, including one or more individuals with expertise related to expert assessments. Members of the Group will be jointly selected by [relevant organizations/the organizations hosting the Secretariat].

Appendix

Conflict of Interest Disclosure Form (“COI Form”)

CONFIDENTIAL

CONFLICT OF INTEREST DISCLOSURE

Please sign and date this form on the last page, and return the form to the Secretary of the IPBES. Retain a copy for your records.

IPBES Disclosure of Relevant Interests Form

NOTE: You have been invited to serve on the IPBES because of your professional standing and expertise. As outlined in the IPBES’ Conflict of Interest Policy, the role of the IPBES demands that it pays special attention to issues of independence and bias in order to maintain the integrity of, and public confidence in, its products and processes. It is essential that the work of the IPBES is not compromised by any conflict of interest for those who execute it. In view of this, disclosure of certain circumstances is necessary to ensure that the work of IPBES is not compromised by conflicts of interest. In filling out this form, we rely on your professionalism, common sense, and honesty.

IPBES is not asking for comprehensive lists of activities under each heading below, only current interests that are significant and relevant to your role within the IPBES. You should disclose interests that could:

- (i) significantly impair your objectivity in carrying out your duties and responsibilities for the IPBES, or
- (ii) create an unfair advantage for you or any person or organization; and which could result in your securing a direct and material gain through outcomes in an IPBES product.

For the purposes of this policy, circumstances that could lead a reasonable person to question your objectivity, or whether an unfair advantage has been created, constitute a potential conflict of interest and should be disclosed in this form. Disclosure of an interest on this form does not automatically mean that a conflict is present or that you will be unable to perform your designated role with the IPBES. If in doubt about whether an interest should be disclosed, individuals are encouraged to disclose that information.

NAME: _____

ADDRESS: _____

TELEPHONE: _____ EMAIL ADDRESS: _____

CURRENT EMPLOYER: _____

ROLE IN IPBES: _____

(1) Do you have any significant and relevant professional activities that might be considered conflicts of interest? ___ Yes ___ No (if yes, give details below).

Please list current, significant, and relevant professional and other non-financial interests which could be interpreted as:

- (i) significantly impairing your objectivity in carrying out your duties and responsibilities for the IPBES, or
- (ii) creating an unfair advantage for you or any person or organization. This might include, but is not limited to, membership on the boards of advocacy groups.

(2) Do you have any significant and relevant financial interests in the subject matter of the work in which you will be involved, which might be considered conflicts of interest? ___ Yes ___ No (if yes, give details below).

Please list current, significant, and relevant financial interests which could be interpreted as:

- (i) significantly impairing your objectivity in carrying out your duties and responsibilities for the IPBES, or
- (ii) creating an unfair advantage for you or any person or organization. These may include employment relationships, consulting relationships, financial investments, intellectual property interests and commercial interests and sources of private-sector research support.

Note: Typically, financial interests under US\$10,000 would not be considered significant.

(3) Is there anything else that could affect your objectivity or independence in the work in which you will be involved? ___ Yes ___ No (if yes give details below).

I hereby declare to the best of my knowledge that the disclosed information is complete and correct. During the course of the work assigned to me, I will inform you immediately of any change in my circumstances.

I understand that information about my interests will be held by the IPBES for a period of five years after the end of the activity during which I contributed, after which the information will be destroyed. Subject to requirement to notify the existence of a conflict of interest to others under Rule 6 of the Implementation

Procedures, I understand that these forms will be considered confidential and will be reviewed in accordance with the COI Implementation Procedures.

I hereby declare that I will comply with the IPBES COI Policy and the Implementation Procedures.

Signature:

Date:

Further Details (if answered “yes” to any of the questions 1-3 above):
