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REVIEW OF THE IPCC PROCESSES AND PROCEDURES

Proposal by the Task Group on Conflict of Interest Policy

(Submitted by the IPCC Secretariat on behalf of the Task Group Co-chairs)

Governments are invited to submit comments on the draft recommendations prepared by the Task Group by 5 May 2011 to ipcc-review@wmo.int

REVIEW OF THE IPCC PROCESSES AND PROCEDURES

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1. Introduction

Reference is made to document IPCC-XXXIII/doc which describes the background for the development of the conflict of interest policy in the overall context of the review of IPCC processes and procedures carried out by the InterAcademy Council (IAC), the establishment of the Task Groups and the way the work was conducted. Recommendations by the IAC and Panel decisions related to the development of the conflict of Interest Policy are shown below.

The Terms of Reference of the task Group and membership are contained in Appendix 1 and 2 to this document. A background note explaining the consideration by the Task Group in detail is contained in Addendum 1 to the document.

2. IPCC Conflict of interest Policy

2.1 IAC recommendation

“The IPCC should develop and adopt a rigorous conflict of interest policy that applies to all individuals directly involved in the preparation of IPCC reports, including senior IPCC leadership (IPCC Chair and Vice Chairs), authors with responsibilities for report content (i.e., WG Co-Chairs, coordinating lead authors (CLAs), and lead authors (LAs), Review Editors (REs), and technical staff directly involved in report preparation (e.g., staff of the TSUs and the IPCC Secretariat).”

2.2 Decision by IPCC-32

The Panel at its 32nd Session:

- I. Agreed with this IAC recommendation.*
- II. Decided to implement a rigorous conflict of interest policy, taking into consideration the specific circumstances related to participation in IPCC activities.*
- III. Established a Task Group on Conflict of Interest Policy to propose options for such a policy, consulting with relevant organizations, for its decision at the 33rd Session.*

2.3 Task Group considerations

The initial draft policy was sent out for review to governments and the co-chairs of the Working Groups/Task Force on 09 February 2011. The opportunity to submit comments closed on 09 March 2011. The Task Group on Conflict of Interest Policy, supported by the Secretariat, held regular teleconferences between 22 March 2011 and 5 April 2011 in order to progress the recommended policy.

On the basis of a number of very useful comments by governments and bureau members, the Task Group substantially revised its initial proposal to reflect more fully existing Conflict of Interest policies that exist, in particular for scientific and technical assessments, and more fully developed its proposals with respect to the management of the policy by the IPCC. The inputs to the recommendations included: government/Working Group co-chair comments; advice about existing

Conflict of Interest policies drawn on by governments engaged in the Task Group; the focused review of relevant national and international conflict of interest policies described in background document; and advice from the Secretariat. The initial proposals had also drawn on the experience of Working Groups I and II in implementing interim conflict of interest policies. The Task Group addressed specific considerations for an IPCC Conflict of Interest policy identified by the InterAcademy Council recommendations.

The Task Group considered conflict of interest policies operated by international organisations to ensure the independence of their salaried staff but considered these to be inappropriate for volunteer scientists and a potential barrier to participation. The recommended policy is rigorous but tailored to the specific needs of IPCC.

The Secretariat drafted successive versions of the recommended policy operating under the guidance of the Task Group.

2.4 Proposed Decision(s)

The Panel is invited to adopt the following Conflict of Interest Policy, including the Conflict of Interest Disclosure Form to become Appendix D of the Principles Governing IPCC Work.

IPCC CONFLICT OF INTEREST POLICY

Purpose of the Policy

1. The role of the IPCC is to assess on a comprehensive, objective, open and transparent basis the scientific, technical and socio-economic information relevant to understanding the scientific basis of risk of human-induced climate change, its potential impacts and options for adaptation and mitigation. IPCC reports should be neutral with respect to policy, although they may need to deal objectively with scientific, technical and socio-economic factors relevant to the application of particular policies.
2. The role of the IPCC 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 IPCC is not compromised by any conflict of interest for those who execute it.
3. The overall purpose of this policy is to protect the integrity, trust, and credibility of the IPCC, its members, and those directly involved in the preparation of reports, and its activities. This policy is principles-based and does not provide an exhaustive list of criteria for the identification of such conflicts.
4. The IPCC's conflict of interest policy is designed to eliminate certain specific, potentially compromising situations from arising, thereby protecting the individual, the IPCC, and the public interest. The individual and the institution should not be placed in a situation where others could reasonably question, and perhaps discount or dismiss, the work of the IPCC simply because of the existence of conflicting interests.

Scope of the Policy

5. This policy applies to senior IPCC leadership (the IPCC Chair, Vice Chairs, Working Group and Task Force Co-chairs and other members of the IPCC Bureau), authors with responsibilities for report content (Coordinating Lead Authors, Lead Authors and Review Editors) and the staff of the Technical Support Units (TSU's).
6. The policy applies to the development of all IPCC products and advice including but not limited to: assessment reports; special reports; and technical papers.
7. The professional staff members of the IPCC Secretariat are employees of WMO and/or UNEP and are subject to their disclosure and ethics policies, which include conflict of interest provisions.

Conflict of Interest

8. A "conflict of interest" refers to any current financial or other interest which could:
i) significantly impair, or could appear to impair, the individual's objectivity in carrying out his or her duties and responsibilities for the IPCC, or ii) create an unfair advantage, or appear to create an unfair advantage, for any person or organization. For the purposes of this policy, the appearance of a conflict of interest - an "apparent conflict of interest" - is one in which circumstances could lead a reasonable person to question an individual's objectivity or question whether an unfair advantage has been created.
9. The conflict of interest requirements in this policy are not designed to include an assessment of one's actual behaviour or character, one's ability to act objectively despite the conflicting interest, or one's relative insensitivity to particular amounts of specific assets because of one's personal wealth. The requirements are designed to eliminate situations involving real or apparent conflicts of interest, and thereby to protect the individual, the organization, and the public interest. Those contributing to IPCC products should not be placed in a situation where others could reasonably question, and perhaps discount or dismiss, the work of the IPCC simply because of the existence, or the apparent existence, of conflicting interests.
10. A conflict of interest applies only to current interests. 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. For example, a pending formal or informal application for a particular job is a current interest, but the mere possibility that one might apply for such a job in the future is not a current interest.
11. In ascertaining the possible presence of a conflict of interest, the following kinds of financial interests will be disclosed and reviewed: employment relationships (including private and public sector employment and self-employment); consulting relationships (including working in commercial or professional consulting or service arrangements, serving on scientific and technical advisory boards, serving as an expert witness in litigation, and providing services in exchange for honorariums and expense reimbursement); directorships; stocks, bonds, and other financial instruments and investments including partnerships; real estate investments; patents, copyrights, and other intellectual property interests; commercial business ownership and investment interests; research funding and other forms of research support.

12. All significant and relevant non-financial interests should be disclosed. These include any associations with organisations with an interest in the topic of the IPCC report or product to which the individual is contributing. These may include government advisory committees, non-departmental public bodies, charities or non-governmental organisations. Such associations are not necessarily incompatible with participation in IPCC, but it is important that they are disclosed. All interests that might undermine the credibility of the IPCC report or product if they were made public during or after its preparation should be disclosed. Individuals to whom this policy applies are encouraged to disclose interests rather than not and to seek advice from the Secretariat if in doubt.

13. The above applies not only to the personal interests of the individual but also to the interests of others with whom the individual has substantial common financial interests if these interests are relevant to the functions to be performed. Thus, in assessing an individual's potential conflict of interest, consideration must be given not only to the interests of the individual but also to the interests of the individual's spouse and minor children, the individual's employer, the individual's business partners, and others with whom the individual has substantial common financial interests. Consideration must also be given to the interests of those for whom one is acting in a fiduciary or similar capacity (e.g., being an officer or director of a corporation, whether profit or non-profit, or serving as a trustee).

14. For projects involving advice regarding awards of contracts, grants, scholarships, etc., the IPCC is guided by the principle that an individual should not participate in any decision regarding the award of a contract or grant or any other substantial economic benefit to the individual or to others with whom the individual has substantial common financial interests or a substantial personal or professional relationship.

15. Conflict of interest policies in scientific assessment bodies typically make a distinction between "conflict of interest" and "bias," which 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 a balance of perspectives. For example, it is expected that IPCC author teams will include individuals with different perspectives and affiliations. Individuals with established and known expertise frequently bring points of view and perspectives to the issues upon which they are expert, which may or may not be related to an individual's professional, institutional or cultural affiliations. Those involved in selecting authors will need to address this problem by striving for an author team composition that reflects a balance of expertise and perspectives, such that IPCC products are comprehensive, objective, and neutral with respect to policy. In selecting individuals for IPCC roles, 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 IPCC 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.

16. Answering positively to the questions contained in the attached disclosure form does not automatically mean that a conflict of interest exists – the purpose of the form is to provide as much relevant information as possible for the evaluation of each individual case.

17. The conflict of interest policy applies to all individuals directly involved in the preparation of IPCC reports, but in a manner that is reflective of the roles of different individuals in the IPCC process. In implementing the policy, account is taken of specific responsibilities and roles of individuals in the preparation of IPCC reports. A distinction is made between elected office holders, staff of Technical Support Units, and authors responsible for report content. In the case of authors who volunteer their time, a primary concern is to maintain the balance between the need to minimize the reporting burden and to ensure the credibility of the process. To generate public trust,

a wider range of situations is deemed to constitute a conflict of interest for those who hold higher offices, especially those who represent IPCC publicly.

18. The policy is applied in a manner that does not impose undue burdens on the participation of individuals on author teams.

Implementation

19. The following measures are in place to implement the policy:

- a. Within two months after the adoption of the policy, each individual currently associated to the IPCC as described under the Scope of the Policy, will fill in and submit to the Secretariat the disclosure form contained in the Annex in order to disclose possible conflicts of interest that arise in the course of carrying out his/her duties associated with the IPCC. As indicated in par. 11 above, answering positively to the questions contained in the form does not automatically mean that a conflict of interest exists – the purpose of the form is to provide as much relevant information as possible for the evaluation of each individual case.
- b. Each individual becoming associated to the IPCC will fill in and submit to the Secretariat the same disclosure form before being associated to the IPCC.
- c. The form will be renewed and resubmitted to the Secretariat on an annual basis.
- d. A Conflict of Interest Committee is established. The Conflict of Interest Committee will consist of 5 individuals, preferably with experience in matters related to this policy. Members of the Committee will be jointly selected by the Secretary-General of the World Meteorological Organization (WMO) and the Executive Director of the United Nations Environment Programme (UNEP) taking into account geographical balance and following consultation with reputable international scientific organizations such as the InterAcademy Council. Members of the Committee will work on a voluntary basis. The Committee may sub-contract a reputable firm to assist with the implementation of the policy.
- e. The disclosure forms of IPCC Bureau members and of the staff of the Technical Support Units of the Working Groups and the Task Force will be submitted to the Conflict of Interest Committee through the Secretariat. The Secretariat will organize the review of the disclosures in advance and provide its advice to the Conflict of Interest Committee with respect to any possible instances of conflict of interest, and will work with individuals covered by the policy to facilitate its adherence.
- f. The Conflict of Interest Committee will identify instances where a real or apparent conflict of interest exists. All efforts to reach consensus will be made. Where consensus cannot be reached, the Conflict of Interest Committee will decide by a majority of members. Members may conduct their business through electronic means.
- g. With respect to authors with responsibilities for report content (Coordinating Lead Authors, Lead Authors and Review Editors), disclosure forms will be reviewed by the appropriate Working Group or Task Force Bureau. Where a Working Group identifies an instance where a real or apparent conflict of interest may exist, the disclosure will be referred to the Conflict of Interest Committee for decision. Bureaux may refer cases to the Executive Committee for advice where such cases raise issues

that may apply more broadly to the application of the policy with respect to authors and reviewers.

- h. The Conflict of Interest Committee will identify steps to be taken to eliminate the conflict of interest.
- i. An individual cannot perform services or functions for the preparation of IPCC reports as long as he/she has a conflict of interest identified as such in accordance with the procedures described above, which is relevant to the services or functions to be performed for the IPCC, except as described in paragraph j. below.
- j. A waiver may be granted to this policy in situations in which the Conflict of Interest Committee determines that a real or apparent conflict of interest can be tolerated by virtue of the unique contribution that an individual can make to IPCC. In such instances, the IPCC will promptly and publicly disclose the conflict of interest. A particular individual's conflict of interest may be determined unavoidable if, for example, the individual's qualifications, knowledge, and experience are particularly valuable to the work of the IPCC. Typically, this will only occur when the pool of available experts is relatively small, and specialized and particular expertise is deemed necessary. Determinations that a conflict of interest exists and that a conflict of interest is unavoidable are made by the Conflict of Interest Committee. The Conflict of Interest Committee must also believe the task can be carried out objectively despite the conflict of interest.
- k. An ethics officer in the Secretariat will be responsible for managing the implementation of the policy, including advising the Conflict of Interest Committee, and Working Group and TFI Bureaus, and the Executive Committee with respect to monitoring actions taken to address instances of real or apparent conflicts of interest.
- l. Information disclosed by individuals selected to participate in IPCC activities for the purpose of this policy will be considered confidential and will not be provided to any person for purposes outside the review process without the express consent of the individual providing the information. Disclosure forms will be kept in a register held by the Secretariat.
- m. The Secretariat will keep a record of decisions by the Conflict of Interest Committee. Deliberations pertaining to specific disclosures will be considered confidential and will not be disclosed to any person for purposes outside the review process without the express consent of the individual providing the information.
- n. The Secretary will report on the activities pertaining to matters under this policy at regular sessions of the IPCC plenary.

Annexed to this Policy is the Conflict of Interest Disclosure form.

Annex

CONFIDENTIAL

CONFLICT OF INTEREST DISCLOSURE
For Individuals Directly Involved in the Preparation of IPCC Reports

NAME: _____ TELEPHONE: _____

ADDRESS: _____

EMAIL ADDRESS: _____

CURRENT EMPLOYER: _____

FUNCTION IN IPCC: _____

There are two parts to this form, Part I Background Information, and Part II Confidential Conflict of Interest Disclosure. Complete both parts, **sign** and **date** this form on the last page, and return the form to the Secretary of the IPCC. **Retain a copy for your records.**

PART I
BACKGROUND INFORMATION

INSTRUCTIONS

Please provide the information requested below regarding all potentially **relevant** organizational affiliations, government service, public statements and positions, research support, and additional information (if any). Information is "relevant" if it is related to -- and might reasonably be of interest to others concerning -- your knowledge, experience, and personal perspectives regarding the subject matter and issues to be addressed by the IPCC for which this form is being prepared. If in doubt about the relevance of a particular matter, you may seek advice from the Secretariat, and are encouraged to declare rather than not. If some or all of the requested information is contained in your curriculum vitae, you may attach your CV to this form, supplemented by additional responses or comments below as necessary.

Answering positively to the questions contained in the attached disclosure form does not automatically mean that a Conflict of Interest exists – the purpose of the form is to provide as much relevant information as possible for the evaluation of each individual case.

I. ORGANIZATIONAL AFFILIATIONS. Report your relevant business relationships (as an employee, owner, officer, director, consultant, etc.) and your relevant remunerated or volunteer non-business relationships (e.g., professional organizations, trade associations, public interest or civic groups, advocacy groups aiming at influencing public opinion and/or policy).

II. RESEARCH SUPPORT. Report relevant information regarding both public and private sources of research support in which you are currently directly involved (other than your present employer), including sources of funding, equipment, facilities, etc.

III. POSITIONS. Provide a brief description of relevant positions of any organizations or groups with which you are closely identified or associated.

IV. ADDITIONAL INFORMATION. If there are relevant aspects of your background or present circumstances not addressed above that might reasonably be construed by others as affecting your judgment in matters within the assigned task of the IPCC, and therefore might constitute an actual or potential source of bias, please describe them briefly.

PART II
CONFLICT OF INTEREST DISCLOSURE

INSTRUCTIONS

The questions set forth below are designed to elicit information from you concerning possible conflicts of interest that are relevant to the functions to be performed by the IPCC and which are connected to the services you are invited to provide to the IPCC.

1. FINANCIAL INTERESTS. (a) Taking into account stocks, bonds, and other financial instruments and investments including partnerships (but excluding broadly diversified mutual funds and any investment or financial interests valued at less than \$10,000), do you or, to the best of your knowledge others with whom you have substantial common financial interests, have financial investments that could be affected, either directly or by a direct effect on the business enterprise or activities underlying the investments, by the activities you are invited to perform for the IPCC?

(b) Taking into account real estate and other tangible property interests, as well as intellectual property (patents, copyrights, etc.) interests, do you or, to the best of your knowledge others with whom you have substantial common financial interests, have property interests that could be directly affected by the activities you are invited to perform for the IPCC?

(c) Could your employment or self-employment (or the employment or self-employment of your spouse), or the financial interests of your employer or clients (or the financial interests of your spouse's employer or clients) be directly affected by the activities you are invited to perform for the IPCC?

(d) Taking into account research funding and other research support (e.g., equipment, facilities, industry partnerships, research assistants and other research personnel, etc.), could your current research funding and support (or that of your close research colleagues and collaborators) be directly affected by the activities you are invited to perform for the IPCC?

(e) Could your activities for the IPCC create a specific financial or commercial competitive advantage for you or others with whom you have substantial common financial interests?

If the answer to all of the above questions under FINANCIAL INTERESTS is either "no" or "not applicable," check here _____ (NO).

If the answer to any of the above questions under FINANCIAL INTERESTS is "yes," check here ____ (YES), and briefly describe the circumstances on the last page of this form.

2. OTHER INTERESTS. (a) Is the central purpose of the activities for which this disclosure form is being prepared a critical review and evaluation of your own work or that of your employer?

(b) Do you have any existing professional obligations (e.g., as an officer of a scientific or engineering society) that effectively require you to publicly defend a previously established position on an issue that is relevant to the functions to be performed for the IPCC?

(c) To the best of your knowledge, will your participation in the IPCC activity enable you to obtain access to a competitor's or potential competitor's confidential proprietary information?

(d) If you are or have ever been a government employee (either civilian or military), to the best of your knowledge are there any conflict of interest restrictions that may be applicable to your service in connection with this IPCC activity?

(e) If the IPCC activity for which this form is being prepared involves reviews of specific applications and proposals for contract, grant, scholarship, awards, etc. to be made by sponsors, do you or others with whom you have substantial common financial interests, or a familial or substantial professional relationship, have an interest in receiving or being considered for awards that are currently the subject of the review being conducted within the IPCC?

If the answer to all of the above questions under **OTHER INTERESTS** is either "no" or "not applicable," check here _____ (NO).

If the answer to any of the above questions under **OTHER INTERESTS** is "yes," check here _____ (YES), and briefly describe the circumstances on the last page of this form.

EXPLANATION OF "YES" RESPONSES:

YOUR SIGNATURE

DATE

3. Concluding remarks

The successful implementation of the conflict of interest policy will require integration with the Bureau election process and author selection process so that conflicts are assessed and managed as part of the conditions of participation in IPCC processes.

The resource implications of the conflict of interest policy have not been assessed and quantified at this stage. There will be additional work for the executive committee, working group co-chairs to assess and address author disclosure forms and the secretariat in administration of the policy.

Terms of reference for a Task Group on Conflict of Interest Policy (as agreed by IPCC-32)

The Panel welcomed and acknowledged the recommendations and suggestions by the IAC on the IPCC's conflict of interest policy (as discussed in Chapter 4 of the IAC Report) and decided to establish an inter-sessional Task Group on Conflict of Interest Policy as discussed in Chapter 4 of the IAC Report to develop proposals on further implementation of the IAC recommendations and decision taken by the Panel at its 32nd Session. The Task Group is specifically requested to address, inter alia, the issues listed in Annex III to this decision and propose amendments, including to the Principles Governing IPCC Work and relevant documents, if necessary, by 31 January 2011. Governments will then be invited to provide comments on the proposals by 28 February 2011 to allow preparation of a revised draft for consideration and decisions by the Panel at its next Session (IPCC-XXXIII).

The Task Group is open to participation by the members of the IPCC and consists of: Bangladesh, China, Guinea Bissau, Malaysia, New Zealand, Slovenia, Sudan, UK and USA. The Task Group will elect its Co-Chairs to coordinate its work.

The Task Group will seek the advice of the IPCC Chair, the IPCC Vice-Chairs, Working Group and TFI Co-Chairs and the Secretary. The duration of the Task Group is until the IPCC's 33rd Session unless decided otherwise.

Annex III

The Task Group should address the issues listed below as mentioned in the IAC recommendations (Chapter 4), IPCC responses at its 32nd Session and IPCC-XXXII/Doc. 22. For each of the issues the Task Group should establish a timetable for action, consider resource implications and identify responsibilities for implementation. It should propose amendments to the Principles Governing IPCC work and relevant documents if needed taking into account decisions made at IPCC-XXXII.

Chapter 4: Governance and Management

Conflict of Interest Policy

1. Recommendation: The IPCC should develop and adopt a rigorous conflict of interest policy that applies to all individuals directly involved in the preparation of IPCC reports, including senior IPCC leadership (IPCC Chair and Vice Chairs), authors with responsibilities for report content (i.e., Working Group Co-Chairs, Coordinating Lead Authors, and Lead Authors), Review Editors, and technical staff directly involved in report preparation (e.g., staff of Technical Support Units and the IPCC Secretariat).

List of members of the Task Group on Conflict of Interest Policy

Countries
Bangladesh *
China
Guinea Bissau
Malaysia
New Zealand *
Slovenia
Sudan
UK **
USA

* *Co-chair*

** *Rapporteur*