

Summary of Evidence

Trying to get Conflict of Interest provisos into CITES

2007 - Fourteenth meeting of the Conference of the Parties **The Hague (Netherlands), 3-15 June 2007**

Administrative matters

Committee reports

JOINT REPORT OF THE CHAIRMEN OF THE ANIMALS AND PLANTS COMMITTEES

Document: CoP14 Doc. 8.4 – p. 9

COMMENTS FROM THE SECRETARIAT

Rule xx (*See Page 9 at link below*)

In cases where a member or alternate member of the Animals and Plants Committee has a financial or personal interest that could call into question his or her impartiality, objectivity or independence regarding a subject to be discussed by the Committee, he or she must disclose the interest to the Committee in advance of the discussions. Following any such disclosure and where appropriate after consultations with the Secretariat, the member or alternate member may participate in the discussion but not in the making of any decision with regard to the subject.

See link at:

<http://www.cites.org/eng/cop/14/doc/E14-08-4.pdf>

2008 - 17th meeting of the Plants Committee and 23rd meeting of the Animals Committee (Geneva, April 2008).

The issue of potential conflicts of interest in the scientific committees was discussed at the joint session between the 17th meeting of the Plants Committee and 23rd meeting of the Animals Committee (Geneva, April 2008).

Recommendation of the CITES Secretariat in “Rules of Procedure – Proposed Amendments”

The Secretariat recommends that the Committees adopt the draft Rules of Procedure, including Rule 26 which stated:

In cases where a member or alternate member of the Animals and Plants Committee has a financial or personal interest that could call into question his or her impartiality, objectivity or

independence regarding a subject to be discussed by the Committee, he or she must disclose the interest to the Committee in advance of the discussions. Following any such disclosure and where appropriate after consultations with the Secretariat, the member or alternate member may participate in the discussion but not in the making of any decision with regard to the subject.

See *Page 5* at link below:

<http://www.cites.org/eng/com/pc/17/E-PC17-02-02.pdf>

Working Group PC17/AC23 WG1 set up to look at the Rules of Procedure – Proposed Amendments (See Page 46 at the link below)

At that time, a joint working group (PC17/AC23 WG 1) was established under the chairmanship of the PC representative of North America to review proposed Rules of Procedure submitted by the Secretariat.

Membership of working groups PC17/AC23 WG1 to look at the Rules of Procedure – Proposed Amendments was:

DESIGNATED MEMBERSHIP OF PC17/AC23 WORKING GROUPS

PC17/AC23 WG1

RULES OF PROCEDURE: PROPOSED AMENDMENTS

Chairman: The representative of North America on the Plants Committee (Mr Gabel).

Members: The Plants Committee Chairman (Mrs Clemente Muñoz), the alternate representative of Asia on the Animals Committee (Mr Giam), China, European Community, IUCN.

Working groups report on Conflict of Interest recommendations (See Page 6 at link below)

When the working group reported back to the joint PC17/AC23 session, it suggested that proposed Rule 26 (on potential conflicts of interest) be deleted.

The summary record indicates that:

2.2 Proposed amendments

With respect to proposed Rule 26, the view was expressed that this was essentially an ethical matter, more appropriate to a code of conduct rather than to rules of procedure. The question of how a conflict of interest could be identified, and who might make such a determination was also raised.

Following the discussion, the following changes to the draft Rules of Procedure were agreed:

Rule 26 is deleted.

See link:

http://www.cites.org/eng/com/pc/17/E-PC17_summary_record.pdf

2011 - Sixty-first meeting of the Standing Committee Geneva (Switzerland), 15-19 August 2011 SC61 - SUMMARY RECORD

8. Rules of Procedure of the Animals and Plants Committees (See Page 2 at link below)

The Secretariat introduced document SC61 Doc. 8. Some members of the Committee thought that there was merit in establishing a working group to assist the Committee with the implementation of Decision 15.9. It was suggested that a code of conduct or a voluntary register of interests rather than an amendment to the Rules of Procedures for the scientific committees might be a possible way forward.

Other members of the Committee and some observer Parties opposed the establishment of a working group, noting that the Animals and Plants Committees had already considered and rejected the possibility of amending their Rules of Procedure to address potential conflicts of interest. **The Chair of the Animals Committee also opposed further work under Decision 15.9, stating that there had never been any problem in the scientific committees related to a potential conflict of interest.**

The Standing Committee agreed that there was no need for the Rules of Procedure of the Animals and Plants Committees to address potential conflicts of interest of their members relating to their activities in the Committees. The Committee noted the suggestion by the regional representative of Europe (the United Kingdom of Great Britain and Northern Ireland⁴) that codes of conduct or voluntary registers of interests might be considered in relation to the prevention and handling of potential conflicts of interest. The Committee also noted the opposition expressed by the regional representatives of Asia (Kuwait) and North America (the United States of America), and China, Indonesia and the Chair of the Animals Committee to the proposed means for handling potential conflicts of interest of members of the scientific committees via rules of procedure.

See link to meeting minutes at:

<http://www.cites.org/eng/com/sc/61/sum/E61-SumRec.pdf>