



Annual report of the Conflict of Interest Advisory Committee for 2018

April 2019

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1. Introduction

The Conflict of Interest Advisory Committee (CoIAC) is an advisory body in the context of ECHA's policy on prevention and management of potential conflicts of interest (MB/09/2014, publicly available on ECHA's website).

The Committee is available to the Management Board, the Committees, the Forum and the Executive Director for advice on matters related to potential conflicts of interest of ECHA staff or members of the Agency's bodies.

The Committee works on the basis of its Terms of Reference adopted by the Management Board on 28 September 2012 (MB/38/2012, publicly available on ECHA's website). In accordance with these Terms of Reference, every year the CoIAC's Chairperson prepares an annual report on the Committee's activities to the Management Board.

2. Members

No changes occurred in the composition of the CoIAC in 2018. The Committee comprises:

- Ms Judite Dipane, appointed by the Management Board of ECHA;
- Mr Julio Bacio Terracino, from the OECD Secretariat, appointed as an external expert by the Executive Director of ECHA; and
- Ms Minna Heikkilä, Head of the Legal Affairs unit of ECHA, as Chairperson.

The mandate of Ms Judite Dipane was extended for another two years by the Management Board in its meeting of 20-21 June 2018. The mandate of Mr Julio Bacio Terracino was renewed for a period of two years starting from 1 August 2018 in accordance with the decision of the Executive Director ED/57/2018 of 4 June 2018.

3. Meetings

The CoIAC met twice in 2018.

On 13 June 2018, the CoIAC convened for its annual meeting at ECHA's premises in Helsinki. In addition to discussing other agenda items, members were informed of the feedback provided by ECHA's Accredited Stakeholders¹ on ECHA's policy on the prevention and management of conflicts of interest ('CoI prevention policy') and of its ongoing review. Mr Bacio Terracino further reported on the work of the OECD on the G20 high-level principles for preventing and managing conflict of interest in the public sector².

On 4 December 2018, the CoIAC convened for a second time, as the Chairperson had received a new request for advice from the Management Board. The Chairperson decided to withdraw

¹ A report on ECHA's Accredited Stakeholder workshop held on 18 October 2017 is available on ECHA's website at:

https://www.echa.europa.eu/documents/10162/23509454/181017_aso_ws_proceedings_en.pdf/449f039a-4bee-3aa4-c764-f9b6b4ff92dc.

² The principles were later adopted and are available at:
http://www.g20.utoronto.ca/2018/adopted_hlps_on_coi.pdf.

herself to avoid any perception of a conflict of interest. Therefore, the two remaining members discussed the matter between themselves. The CoIAC advice is expected in early 2019.

4. Advice given

In 2017, ECHA's Executive Director submitted to the CoIAC a request for advice which related to a number of interrelated questions concerning public statements and positions as well as to the provision of consultancy services to the chemicals industry by a national public authority.

In its advice 1/2018, the CoIAC observed that neither ECHA's CoI prevention policy nor the available guidance is clear on what is to be declared in the Declaration of Interests under the section 'Public statements and positions'.

Based on its considerations, the CoIAC strongly recommended a review of ECHA's policy as well as of the declaration forms and the guidance documents, with a view to ensuring that only relevant interests are considered. Regarding scientific publications, the CoIAC considered that there is no need to request declarations for scientific articles addressed to the scientific community. The CoIAC further pointed out that the review of ECHA's policy should take into account the diversity of tasks and the positions held by people associated with the Agency, such as by considering differentiating between staff and Committee members.

Regarding consultancy services to the chemicals industry provided by national public authorities, the CoIAC observed that it is difficult to set rules on how such services could be taken into account in assessing potential conflicts of interests. As the issue does not affect ECHA alone, the CoIAC recommended ECHA to start discussions with other European institutions and bodies on whether a common set of criteria is necessary.

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