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Ad hoc open-ended working group on a science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution
Third session
Geneva, 17–21 June 2024
Item 4 of the provisional agenda*

Preparation of proposals for the establishment of a science-policy panel

Supporting information on work-related processes and procedures

Note by the secretariat

This document complements the proposals for work-related processes and procedures for the science-policy panel to contribute further to the sound management of chemicals and waste and prevent pollution with supporting information.

The document takes into account lessons learned and prior experiences gained through the Intergovernmental Panel on Climate Change (IPCC), the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES), the Global Environment Outlook (GEO), the Montreal Protocol on Substances that Deplete the Ozone Layer, the Persistent Organic Pollutants Review Committee of the Stockholm Convention on Persistent Organic Pollutants (POPRC), and others.

Sections II and III of this document provide supporting information regarding the process for determining the work programme, including prioritization, as set out in document UNEP/SPP-CWP/OEWG.3/2/Add.3/Rev.1 and procedures for the preparation and clearance of deliverables as set out in UNEP/SPP-CWP/OEWG.3/2/Add.4, whereas section IV relates to the revised conflict-of-interest policy and its related disclosure form as presented in UNEP/SPP-CWP/OEWG.3/2/Add.5. The Appendix to this document provides illustrative workflows for the preparation of deliverables to aid in visualizing the application of the procedures proposed in UNEP/SPP-CWP/OEWG.3/2/Add.4.

* UNEP/SPP-CWP/OEWG.3/1.

Annex*

I. Introduction

1. UNEA resolution 5/8 decided that the proposals prepared for the science-policy panel should consider processes for determining and executing the work programme of the panel (paragraph 5e), arrangements for identifying and engaging with experts to contribute to the work of the panel (paragraph 5f), and procedures for the review and adoption of reports and assessments produced by the panel (paragraph 5e).

2. It further decided that the ad hoc open-ended working group should take into account the need to ensure that the panel is: interdisciplinary, ensuring contributions from experts with a broad range of disciplinary expertise; has inclusive participation, including indigenous peoples; has geographical, regional and gender balance (paragraph 6b); has procedures that seek to ensure that the work of the panel is transparent and impartial, and that it can produce reports and assessments that are credible and scientifically robust (paragraph 6c); and that it has the ability to address potential conflicts of interest and safeguard commercially sensitive information (paragraph 6f).

II. Supporting information on the proposed process for determining the work programme, including prioritization

3. The proposal for a process for determining the work programme as set out in document UNEP/SPP-CWP/OEWG.3/2/Add.3/Rev.1 intends to foster the development of comprehensive work programmes that deliver against the functions of the panel[1], whilst recognizing that the functions of the panel are interconnected and that there is a need to prioritize the issues the panel may handle.

4. The proposal provides for a process that would follow a call by the secretariat for submissions of issues to consider for work programme development. Such a call might be issued, in all UN languages, nine months prior to a session of the governing body. To further facilitate broad participation, it could be accompanied by clear guidance and a form to collect submissions.

5. Stakeholder networks would be encouraged to self-organize their engagement and coordinate joint submissions on similar issues. For example, a network may first call for brief "Letters of Intent" putting forward proposals of issues, and subsequently facilitate the consolidation of related proposals.

6. Depending on the range of issues submitted to the panel, the Interdisciplinary Expert Committee may invite additional experts to complement their expertise and the technical expertise available to them in the secretariat. These additional experts would review submissions and assist in prioritisation. Additional expertise required would depend on the composition of the Interdisciplinary Expert Committee and technical expertise available in the secretariat. Such expertise might concern expertise on alternatives to a substance or technology that has been presented as an issue, knowledge of specific sectors or technologies, Indigenous knowledge of impacts on ecosystems or livelihoods, or expertise in public health and workers' protection. The panel may wish to build upon the process that the Persistent Organic Pollutants Review Committee of the Stockholm Convention on Persistent Organic Pollutants (POPRC) has in place for inviting experts to complement the expertise present among the POPRC's 31 members.[2]

7. Transparency in the process of elaborating a draft work programme informed by a robust prioritization process, that takes into account the objective of the panel to protect human health and the

* The annex has not been formally edited.

[1] UNEA resolution 5/8 identified four principal functions for the science-policy panel:
(a) Undertaking "horizon scanning" to identify issues of relevance to policymakers and, where possible, proposing evidence-based options to address them;
(b) Conducting assessments of current issues and identifying potential evidence-based options to address, where possible, those issues, in particular those relevant to developing countries;
(c) Providing up-to-date and relevant information, identifying key gaps in scientific research, encouraging and supporting communication between scientists and policymakers, explaining and disseminating findings for different audiences, and raising public awareness;
(d) Facilitating information-sharing with countries, in particular developing countries seeking relevant scientific information;
A fifth function, capacity building, was agreed by the ad hoc open-ended working group at its first session.

[2] Stockholm Convention on POPs, Decision SC-1/7: Establishment of the Persistent Organic Pollutants Review Committee; Annex: Terms of Reference of the Persistent Organic Pollutants Review Committee "Invited Experts" (paragraphs 10-12).

environment, is essential for ensuring the relevance and legitimacy of the deliverables that will be launched under a work programme.

8. Various approaches, from qualitative or semi-quantitative expert judgement to more complex, quantitative multi-criteria analysis, single-metric comparisons and pair-wise comparisons, may be utilized to inform the prioritization process. Novel approaches and tools suitable to the task arising from the research field of decision-making and further embracing digital technology may also be considered.

9. The development and application of a framework for prioritization would be expert-led and evolve over time as the panel's needs and circumstances may change. In order to ensure transparency and impartiality, it is important that the Interdisciplinary Expert Committee, in consultation with the secretariat, determines the framework to be employed before prioritization begins and that the prioritization process and its results are carefully documented.[3]

10. Challenges that may be encountered in prioritizing specific issues may include uneven data availability across the issues submitted and high variety of the types of topics (e.g. global vs. regional; substantive vs. methodological questions). The quality and breadth of information included in submissions should be taken into account in the prioritization approach, especially where this may be the result of a lack of capacity or data availability to provide relevant information. Ensuring a systematic and transparent approach to prioritization, including by making available information on the decision framework used for prioritization, and a mechanism for regular review of the approach will strengthen the process for determining the work programme.

11. The outcomes of the prioritization process may also be used as a resource by governments at all levels or relevant key stakeholders to inform national and regional research agendas. This in turn may, in the long term, yield results that could further feed into subsequent work of the panel.

12. The secretariat may convene a joint meeting of the Interdisciplinary Expert Committee and the Bureau in order to foster exchanges and collaboration as the panel's draft work programme is being developed.[4] As specified in UNEA resolution 5/8, the work programme will be approved by the member Governments of the panel (paragraph 3).

13. Figure 1 outlines the three essential steps required for setting the work programme as set out in document UNEP/SPP-CWP/OEWG.3/2/Add.3/Rev.1. The first step is covered by paragraphs 2 to 6 in the document, the second step is covered by paragraphs 7 to 9 in the document, and the third step is covered by paragraphs 10 and 11 of the document.

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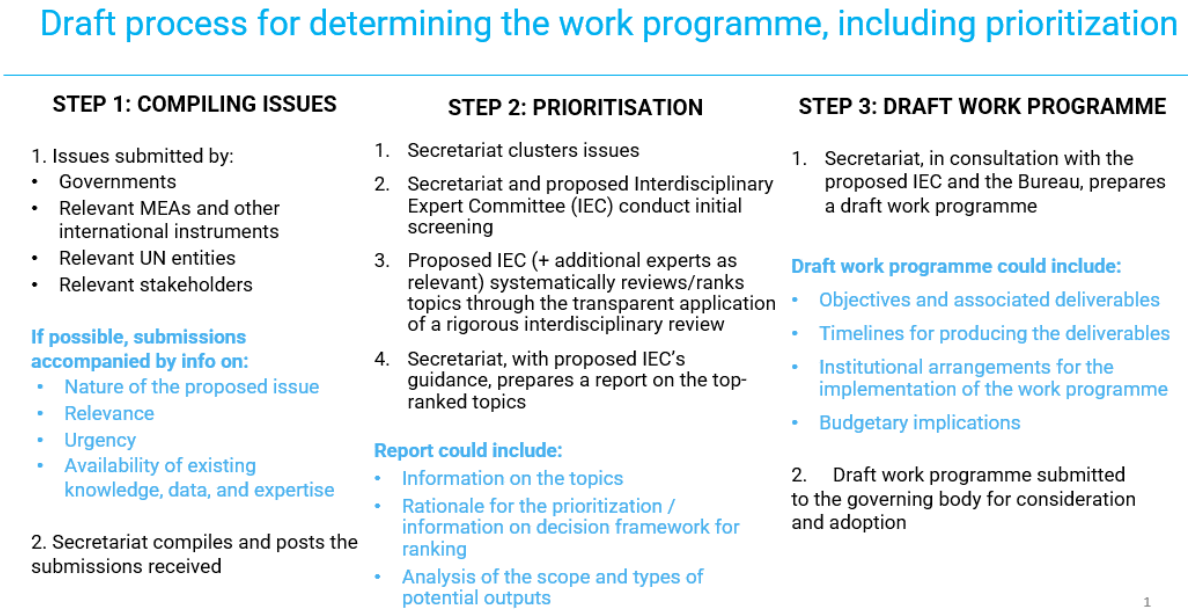
[3] See for example this IPBES report submitted to the tenth session of its Plenary in 2023: Report on the prioritization of requests, input and suggestions for additional elements of the rolling work programme of the Platform up to 2030

[4] In the IPBES context, a joint meeting of the Bureau and the Multidisciplinary Expert Committee is convened to foster such exchanges.

Figure 1. Overview of the process of determining the work programme (blue text indicates potential content of document in question)



III. Supporting information on the procedures for the preparation and clearance of deliverables

14. The proposed procedures set out in UNEP/SPP-CWP/OEWG.3/2/Add.4 provide general procedures to facilitate early commencement of the substantive work once the panel has been established. In determining the work programme as set out in document UNEP/SPP-CWP/OEWG.3/2/Add.3/Rev.1, the governing body may opt to already specify the budget and timeline of specific procedures associated with the preparation of deliverables.

15. The next sub-sections provide additional context and information regarding the proposed procedures, policies and guidance.

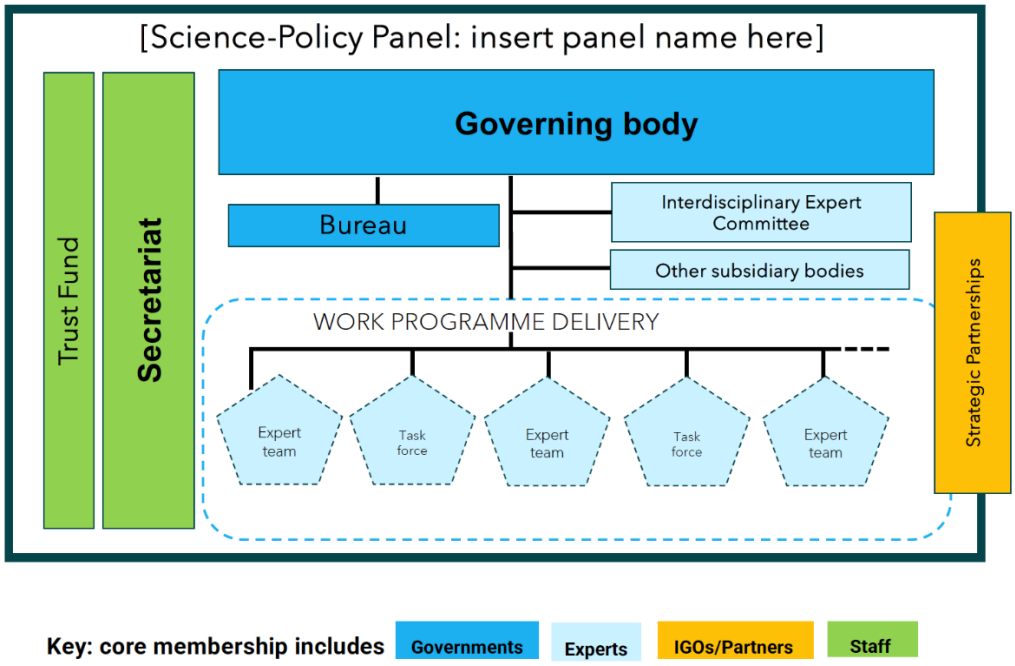
A. Definitions

16. The terms "expert" and "expertise" are proposed as an inclusive means of encompassing the full range of roles that might be required to be filled for the preparation of a deliverable. These experts, who may not necessarily think of themselves as "scientists", may serve as authors, review editors, co-chairs, or participants in task forces among others. The concept of "expertise" aims to account for the breadth of participation and inclusiveness required for the co-production of knowledge in science-policy interfaces.[5]

[5] For detailed discussions of how such co-production can unfold in science-policy interfaces, see:
Díaz-Reviriego, I., Turnhout, E. and Beck, S., (2019). Participation and inclusiveness in the intergovernmental science–policy platform on biodiversity and ecosystem services. Nature Sustainability, 2(6), pp.457-464; full text available here.
Montana, J., (2019). Co-production in action: perceiving power in the organisational dimensions of a global biodiversity expert process. Sustainability Science, 14(6), pp.1581-1591; and
Beck, S. and Forsyth, T., (2020). Who gets to imagine transformative change? Participation and representation in biodiversity assessments. Environmental Conservation, 47(4), pp.220-223.

17. As illustrated in Figure 2, the panel as a whole encompasses the governing body, the Bureau, subsidiary bodies (including the Interdisciplinary Expert Committee), the secretariat and the groups of experts contributing to the work programme delivery.

Figure 2. Schematic overview of the science-policy panel as a whole



B. Deliverables

18. The procedures proposed have been developed to apply across deliverables; as needs evolve the panel may develop more detailed procedures for specific types of functions or different kinds of deliverables as appropriate. This may include developing procedures for deliverables not currently envisioned in UNEP/SPP-CWP/OEWG.3/2/Add.4.

19. The proposed panel deliverables are all aligned with one or more of the panel's functions, and deliverables themselves may be interrelated. For example, an assessment could form the basis for a summary for policymakers or a synthesis report, as well as for a range of information and communication materials.

20. As with most other science-policy interfaces, global assessments may constitute a core deliverable for the science-policy panel to contribute further to the sound management of chemicals and waste and to prevent pollution. However, it will also include outputs of other principal functions, such as reports emanating from horizon scanning (see paragraph 2(a) of UNEA resolution 5/8), systematically identifying early signs of issues of potential relevance to policymakers. Horizon scanning can be used to support organizations and decision-makers in anticipating future developments, managing risks and pursuing opportunities to build resilience to future shocks and reduce uncertainty.

21. The regularly published comprehensive assessment reports about knowledge on climate change, its causes, potential impacts and response options are well known deliverables of the IPCC. In addition to its flagship assessments, the IPCC also produces special reports, which are assessments on specific issues, and its Task Force on National Greenhouse Gas Inventories is responsible for the internationally-agreed methodologies used for the calculation of national anthropogenic greenhouse gas emissions and removals by signatories to the UN Framework Convention on Climate Change (UNFCCC) and its Paris Agreement, for which practical guidelines are developed.[6] The IPBES Procedures for the preparation of Platform deliverables (Decision IPBES-3/3) include assessment reports and synthesis reports, their summaries for policymakers and technical summaries, technical papers as well as technical guidelines. IPBES also developed a conceptual framework as its "first

[6] IPCC (2024) The Task Force on National Greenhouse Gas Inventories

public product" which has continued to underpin the Platform's work over the years.[7] In its Intergovernmental and expert-led scientific assessment procedures, GEO similarly lists assessment reports, their summaries for policymakers, and technical summaries, synthesis reports, derivative reports, technical papers, and guidelines as its deliverables.

22. The list of deliverables specified in UNEP/SPP-CWP/OEWG.3/2/Add.4 also includes information and communication materials, and a conceptual framework. Information and communication materials help fulfil in particular the panel's functions in resolution 5/8 paragraphs 2 (c) and (d).[8]

C. General procedures

23. For any given deliverable only a subset of the general procedures as set out in UNEP/SPP-CWP/OEWG.3/2/Add.4 may be relevant. Three sample workflows for different deliverables, illustrating the varied ways in which procedures might apply, are provided in the Appendix to this document.

1. Scoping

24. Under IPBES, IPCC and GEO, scoping is an essential step for assessments that informs the budget and timeline, the number of experts required and the roles to be filled. It helps to determine whether the work on a deliverable can proceed as part of the approved work programme and budget.

25. In setting the work programme, the governing body could also decide to only approve the budget and mandate for completion of a scoping report, with the provision that the mandate for completing the full deliverable is contingent on the governing body's review of the scoping report and endorsement of the budget and schedule recommended in such a report.

26. With the rapid improvements in generative artificial intelligence, the preparation of scoping reports may benefit from the advancement of digitalization which may result in more comprehensive and inclusive processes, significantly shorter timelines and higher responsiveness.[9]

2. Nominating and selecting experts

27. General procedures for the nomination and selection of experts are applicable to a wide range of deliverables and can be applied to, for example, selecting experts to contribute to an assessment according to the roles set out in Annex 1 to UNEP/SPP-CWP/OEWG.3/2/Add.4, or selecting experts to prepare another type of deliverable, such as guidelines.

28. While the secretariat, with the Interdisciplinary Expert Committee, reviews the nominations received and prepares a draft composition of the team of experts, it fills the team of experts according to agreed roles. The number and types of roles required for preparing a deliverable (such as for example whether the preparation of the deliverable will be led by co-chairs) will have been set as a result of a scoping exercise (if scoping was undertaken) or will have been specified in the agreed work programme.

29. Based on lessons learned regarding the challenges encountered when there is a mismatch between the nominations received and the experts needed to complete the deliverable (including in order to be in line with the operating principles, for example relating to disciplinary, gender, geographic, and regional representation), these procedures do allow for the Interdisciplinary Expert Committee to fill such gaps building. The IPBES' procedure could be considered as the basis for filling gaps in the availability of experts.[10]

[7] Díaz, S., Demissew, S., Carabias, J., Joly, C., Lonsdale, M., Ash, N., ... & Zlatanova, D. (2015). The IPBES Conceptual Framework—connecting nature and people. *Current opinion in environmental sustainability*, 14, 1-16. and IPBES (n.d.) Conceptual framework

[8] (c) Providing up-to-date and relevant information, identifying key gaps in scientific research, encouraging and supporting communication between scientists and policymakers, explaining and disseminating findings for different audiences, and raising public awareness; and
(d) Facilitating information-sharing with countries, in particular developing countries seeking relevant scientific information.

[9] For a discussion of the potential and pitfalls of Artificial Intelligence for the provision of science advice, see : Tyler, C., Akerlof, K.L., Allegra, A., Arnold, Z., Canino, H., Doornenbal, M.A., Goldstein, J.A., Budtz Pedersen, D. and Sutherland, W.J., (2023). AI tools as science policy advisers? The potential and the pitfalls. Nature, 622(7981), pp.27-30.

[10] See Decision IPBES-4/3 : Procedures for the preparation of Platform deliverables, Annex I : Procedure for filling gaps in the availability of experts

30. In contrast to the IPBES procedures, which provide that "experts selected from those presented by relevant stakeholders should not exceed twenty per cent"[11], the proposal for general procedures for the science-policy panel does not provide for a maximum threshold of experts nominated by observers. This additional flexibility has been instituted so that, in setting the membership of an expert team, the Interdisciplinary Expert Committee can prioritize aligning with the operational principles' guidance on representation and participation in the work of the panel while meeting specific expertise needs. Capping the number of experts that can be drawn from relevant stakeholder nominations, including those from the World Health Organization, the Food and Agriculture Organization of the UN, the International Labour Organization, UNEP and other intergovernmental organizations, risks foregoing the involvement of experts well positioned to contribute to the panel in meeting its objective.

3. Preparation of draft deliverables, including the review process

31. There may be great variation in the number of experts required to bring a deliverable to completion and in the roles undertaken. The proposed procedures allow for flexibility in the design (size, composition) of expert teams and types of activities or skills required for preparing a deliverable. Such flexibility may facilitate the panel's agility, notably as it may decide to adjust the design of expert teams and types of activities and skills required as new technologies and tools, that might facilitate certain aspects of the panel's work, become available.

32. The size of the team, and the specific roles necessary for preparing guidelines may differ from those necessary for an assessment. For example, a global assessment may require a team of 150 experts or more,[12] with many of these experts taking on an author role, while the development of guidelines might warrant a team of 20-30 experts, with many taking on roles providing expertise through workshop participation and document review.

33. The examples of roles presented in annex 1 to UNEP/SPP-CWP/OEWG.3/2/Add.4 are tailored to an assessment based on the experiences of IPBES, IPCC and GEO. A scoping exercise undertaken for an assessment may help to determine the approach, as well as how many experts fielding each role would make up the necessary expert team, to in turn inform the selection of experts from among nominations.

34. Organizational structure may also vary according to the scope and type of deliverable being prepared. If a deliverable can be completed between two subsequent sessions of the governing body, it may be appropriate for the co-chairs of the Interdisciplinary Expert Committee to champion the completion of that deliverable. If a deliverable is prepared over a multi-year time period, it may be necessary for the expert team to be led by co-chairs selected and specifically appointed for the oversight and leadership of that particular deliverable. In such a case, these expert team co-chairs could not only provide consistent leadership and oversight for the deliverable's completion, but they could also aid in ensuring the deliverable has broad visibility and impact by speaking for the expert team and to the procedures followed.

35. Regarding the review of deliverables, the proposed procedures for the panel build on the successful track record of other science-policy interfaces that have turned to both expert and government reviewers as a draft is refined and prepared for clearance. In other science-policy interfaces, government reviews will typically be solicited via designated national focal points who are asked to coordinate and compile inputs from relevant offices. Expert reviewers are typically invited to apply to take part in the review process. The application process would be tailored to the type of expertise necessary for reviewing a given deliverable.

36. The systematic and transparent treatment of all reviews received is a central component in strengthening a deliverable's credibility, relevance and legitimacy. Review editors can aid in that process by providing quality assurance as to how comments have been responded to by authors. It is also common practice for science-policy interfaces to document the consideration and response to every review comment received; in a number of cases these records are made publicly available after the deliverables' release.

37. The proposed procedures allow for some flexibility in how expert and government review processes are deployed (for example one after the other or simultaneously) and in how many rounds of review are necessary for a given deliverable. For example, the governing body may decide that an

[11] See Decision IPBES-3/3: Procedures for the preparation of Platform deliverables, see for example section 3.1 paragraph (j)

[12] For example, according to a 7 February 2019 press release, IPBES's 2019 Global Assessment Report on Biodiversity and Ecosystem Services was "Prepared by 150 leading international experts from 50 countries, balancing representation from the natural and social sciences, with additional contributions from a further 250 experts"

information and communication material may only require one round of simultaneous expert and government review. Assessments usually have two rounds of reviews: a first round of review by experts and a second by governments and experts combined.

4. Clearance of deliverables

38. The proposed approach for the clearance of deliverables is informed by the procedures of IPCC, IPBES, and GEO, and puts forward three different types of clearance: validation, acceptance and approval. The appropriate level of clearance necessary for a given deliverable would typically be specified upfront in the panel's work programme.

39. While IPCC does not include a validation step in its approach, both IPBES and GEO employ this step for assessments to provide endorsement that the processes for the preparation of reports have been duly followed.

40. In order to avoid confusion between the governing body's adoption of decisions and its adoption of deliverables, the concepts of "adoption" and "approval" (a distinction employed in IPCC, IPBES and GEO procedures) have been combined into a single proposed type of clearance: "approval". As detailed in UNEP/SPP-CWP/OEWG.3/2/Add.4, approval is proposed to signify the governing body's endorsement of a deliverable.

41. Science-policy interfaces tend to favour consensus outputs, yet the value of disagreement in science advice has long been recognized[13]. The benefits of consensus outputs for science communication to the public are well established, but concerns have been raised about the suitability of such consensus outcomes for policy advice specifically.[14] As Maas *et al.* explain in their 2021 article on the effectiveness of global environmental assessments (GEAs), "the approach to consensus in GEAs becomes more problematic when it comes to solutions since it is seemingly predicated on the idea that policy action follows from equivocal and objective scientific input on what range of solutions is available … GEAs thereby risk closing down political debate prematurely, instead of contributing to moving that debate forward".[15] To avoid this potential pitfall, the science-policy panel, to better support policymakers' consideration of evidence-based policy options, need to develop procedures for preparing and clearing deliverables that make explicit contrasting evidence-based policy options and the varied assumptions and values that underpin these.

42. Much as other proposed procedures intend to foster the panel's flexibility in meeting the needs identified by its members, the panel may opt to further tailor a clearance process for specific deliverables.

43. Figure 3 summarizes the proposed application of clearance processes for different deliverables set out in UNEP/SPP-CWP/OEWG.3/2/Add.4.

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[13] See Sarewitz, D., (2011) The voice of science: let's agree to disagree. *Nature*, 478(7367), pp.7-7; and Pearce, W., Grundmann, R., Hulme, M., Raman, S., Hadley Kershaw, E. and Tsouvalis, J., (2017). Beyond counting climate consensus. *Environmental Communication*, 11(6), pp.723-730.

[14] See Pearce, W., Mahony, M. and Raman, S., (2018). Science advice for global challenges: Learning from trade-offs in the IPCC. *Environmental Science & Policy*, 80, pp.125-131; and Jagannathan, K., Emmanuel, G., Arnott, J., Mach, K.J., Bamzai-Dodson, A., Goodrich, K., Meyer, R., Neff, M., Sjostrom, K.D., Timm, K.M. and Turnhout, E., (2023). A research agenda for the science of actionable knowledge: Drawing from a review of the most misguided to the most enlightened claims in the science-policy interface literature. *Environmental Science & Policy*, 144, pp.174-186.

[15] Maas, T.Y., Montana, J., van der Hel, S., Kowarsch, M., Tuinstra, W., Schoolenberg, M., Mahony, M., Lucas, P.L., Kok, M., Bakkes, J. and Turnhout, E.,(2021). Effectively empowering: A different look at bolstering the effectiveness of global environmental assessments. *Environmental Science & Policy*, 123, pp.210-219.

Figure 3. Types of clearance processes for a non-exhaustive list of deliverables

Deliverable	Clearance process		
	Validation *(confirm procedures duly followed)*	**Acceptance** *(confirm comprehensive and balanced view)*	**Approval** *(confirm endorsement of deliverable)*
Assessment	Interdisciplinary Expert Committee (IEC)	Governing body	N/A
Summary for policymakers	IEC	N/A	Governing body
Synthesis report	IEC	N/A	Governing body
Horizon scan	IEC	Governing body	N/A
Conceptual framework	IEC	N/A	Governing body
Guidelines	IEC	Governing body	N/A
Supporting materials	IEC	N/A	N/A
Information and communication materials	Secretariat and Co-Chairs of IEC	N/A	N/A

D. Error protocol

44. The proposed error protocol has been developed on the basis of the IPCC and IPBES error protocols. Having an accessible and transparent error protocol in place prior to the release of deliverables is an important means of ensuring the credibility and legitimacy of the panel's work.

E. Procedure on the use of sources

45. The procedure on the use of sources recognizes that many types of expertise and ways of knowing may need to be accessed and used to meet the objective of the panel, complementing peer-reviewed literature. The panel may, over time, elaborate more detailed procedures for the use of certain types of knowledge, or decide to follow existing guidance. For example, GEO's Intergovernmental and Expert-led Scientific Assessment Procedures includes guidance on the use of Indigenous knowledge, local knowledge, citizen science and grey literature drawn from UNEP's 2017 Guidelines for conducting Integrated Environmental Assessments and from IPBES' Procedures for the preparation of Platform deliverables.

F. Policy on data and knowledge management and guidance on use of digital tools and artificial intelligence

46. The policy and guidance detailed in this section are drawn from detailed IPBES and GEO policy and guidance. Under IPBES, a task force on knowledge and data prepared the current policy.[16] This policy is also supplemented by a repository which holds the public user documentation for IPBES data management and information technology services and tools.

47. Considering the rapid developments in digitalization and AI for science, the panel will need to continue to align with developments related to digital tools and artificial intelligence within the UN system, including:

a. the UNESCO Recommendations on the Ethics of Artificial Intelligence adopted November 2021; and,

b. the UN High-Level Committee on Programmes (HLCP) - Inter-Agency Working Group on Artificial Intelligence Principles for the Ethical Use of AI issued in September 2022.

[16] The current version (2.0) was approved by the Bureau and Multidisciplinary Expert Panel in February 2022; it was welcomed by the IPBES Plenary in July 2022. IPBES (2022): IPBES Data and Knowledge Management Policy ver. 2.0, Krug, R.M., Omare, B., and Niamir, A. (eds.) IPBES secretariat, Bonn, Germany. DOI: 10.5281/zenodo.6243095

G. Procedure for safeguarding commercially sensitive information

48. In 2022, the Organisation for Economic Co-operation and Development (OECD) released a guide[17] presenting the challenge that there has been a steady increase in the amount of health, safety and environmental data generated by or derived from industry sources that are used by governments to assess the safety of new and existing chemicals. This trend has raised two concerns: first, how can the review of industry-sponsored data by governments be done in an open and transparent fashion to assure the public that regulatory decisions are based on sound science; and second, how can making such data more available be done in a way which also protects confidential information and/or the intellectual property rights of companies and does not create disincentives to innovation?

49. In several sectors relevant to the panel's work, including the pharmaceutical, agricultural and chemical sectors, there may be a great deal of information relating to chemicals, waste and the prevention of pollution that is not publicly available. There are numerous disincentives for sharing such information, including concerns over intellectual property rights and competitiveness[18]. Some of these concerns may be alleviated within the panel's work by a procedure for safeguarding commercially sensitive information.

50. UNEA resolution 5/8 called for taking into account the need to ensure that the panel "has the ability to …. safeguard commercially sensitive information" (paragraph 6(f)). The procedure proposed for the panel is adapted from the Stockholm Convention's Code of Practice for the Treatment of Confidential Information in the POPs Review Committee, which specifies that "Pursuant to paragraph 5 of Article 9 of the Convention, information on health and safety of humans and the environment shall not be regarded as confidential" (paragraph 2 of the Code of Practice).

51. Even with a procedure in place for safeguarding commercially sensitive information, challenges remain as to how to use that safeguarded information without weakening a deliverable's credibility, relevance and legitimacy. For example, established procedures ensure assessments rely on publicly available information, that is on information that is thus available to expert teams as well as to reviewers. Concerns may be raised about the nature of the information being safeguarded if the procedure to safeguard commercially sensitive information precludes reviewers from accessing that confidential information as part of the review process.

H. Procedure for languages and translations

52. The procedure for languages and translations can be a means of overcoming barriers to access to information for end-users of panel deliverables, including policymakers. By allowing for the posting of unofficial translations on the panel website, this procedure follows the precedent of both IPCC and IPBES in ensuring what IPBES calls "courtesy" translations are available for a broad audience.

IV. Conflict-of-Interest Policy

53. Many of the science-policy interfaces reviewed limit their focus to current conflicts of interest. The IPCC conflict-of-interest policy defines conflict of interest as relating to "any current professional, financial or other interest". The IPBES conflict-of-interest policy "applies only to current conflicts of interest and does not apply to past interests that have expired". Under the Montreal Protocol on Substances that Deplete the Ozone Layer, the Conflict of Interest and Disclosure Guidelines for the Technology and Economic Assessment Panel, Its Technical Options Committees and Temporary Subsidiary Bodies[19] defines conflict of interest as "current" interests. Under the UN Convention to Combat Desertification, the conflict-of-interest policy of the Science-Policy Interface specifies: "A "conflict of interest" refers to any current professional, financial or other interest which

[17] Best Practice Guide for Access and Protection of Proprietary Rights to Non-Clinical Health, Safety and Environmental Data and Information on Chemicals. This guide was developed by OECD in 2022 to support implementation of the Recommendation of the Council Concerning Access and Protection of Proprietary Rights to Non-Clinical Health, Safety and Environmental Data and Information on Chemicals

[18] See UNEP (2020) *Assessment of options for strengthening the science-policy interface at the international level for the sound management of chemicals and waste*. See also Perlman, R.L., 2023. *Regulating Risk: How Private Information Shapes Global Safety Standards*. Cambridge University Press. and Oelkers, K., (2021). Transparency in product authorisation–The handling of commercially confidential information in environmental risk assessments of industrial chemicals, biocidal products, plant protection products and pharmaceuticals. *Sustainable Chemistry and Pharmacy*, 20, p.100399.

[19] Available in section 6 of Annex to Decision XXIV/8: Terms of reference, code of conduct and disclosure and conflict of interest guidelines for the Technology and Economic Assessment Panel and its technical options committees and temporary subsidiary bodies. Note this code of conduct applies only to TEAP and not to the Montreal Protocol's Scientific Assessment Panel or its Environmental Effects Assessment Panel.

could significantly impair an individual's objectivity in carrying out his/her duties and responsibilities as a SPI member or observer during his/her mandate."

54. Under the Stockholm Convention on Persistent Organic Pollutants (POPs), the Rules of procedure for preventing and dealing with conflicts of interest relating to activities of the Persistent Organic Pollutants Review Committee (decision SC 1/8) include an annexed declaration form in which a conflict of interest is defined as meaning "that the expert or his or her partner, or the administrative unit with which the expert has an employment relationship, has a financial or other interest that could unduly influence the expert's position with respect to the subject matter being considered." The declaration form provides a non-exhaustive list of different types of situations that should be declared.

55. Given the POPRC's relatively narrow mandate to review suggested additions to substances listed under the Convention, the information on potential or apparent conflicts of interests being solicited from experts relates specifically to interests in commercial entities likely to be affected by the POPRC's recommendation, be it because the commercial entity has an interest in a substance, technology or process related to the Committee's work, or because it has an interest in a substance, technology or process that competes with what is being considered for listing under the Convention.

56. In considering the appropriate timeframe for applying the panel's conflict-of-interest policy, consideration need to be given to potential trade-offs that may arise from incorporating past conflicts of interest in the declaration form versus the deterrent effect on experts' willingness to volunteer for participation in the panel's work of a more complicated and time-consuming declaration form to complete.

57. The conflict-of-interest policy, as included in the proposal, provides for the disclosure forms to be reviewed by a conflict-of-interest committee, and then to be transferred to the secretariat after they have been reviewed to be securely archived and retained for a period of five years after completion of the individual's term or completion of the deliverable to which the relevant individual contributed, after which the information will be destroyed" (paragraph 13 of Appendix A to the conflict-of-interest policy). The conflict-of-interest policies of the IPCC and IPBES each provide for similar expectations of confidentiality and eventual destruction of declaration forms.

58. Under the POPRC's conflict of interest policy, the policy was amended in 2011[20] to specify that "The Committee shall meet in closed session before the start of each meeting of the Committee to discuss any issues related to conflicts of interest of Committee members. Should any conflict of interest of a Committee member arise, the Chair of the Committee shall consult with the President of the Conference of the Parties and the Executive Secretary with a view to making a decision on the member's participation in the Committee's work in respect of a particular chemical."

59. While information provided by POPRC members in conflict-of-interest disclosure forms is not publicly posted, the procedures[21] for reviewing conflicts of interest do provide that "Information disclosed on this declaration shall reside within the Secretariat and shall be made available to the Conference of the Parties, its Bureau and subsidiary bodies, as deemed appropriate."

60. Under the Montreal Protocol's Conflict of Interest and Disclosure Guidelines for the Technology and Economic Assessment Panel (TEAP), its Technical Options Committees and Temporary Subsidiary Bodies, paragraph 17 specifies that "Any information provided to and any advice provided by the conflict resolution advisory body will be considered confidential and will not be used for any purpose other than consideration of conflict of interest issues under these Guidelines without the express consent of the individual providing the information or requesting the advice, as appropriate."

61. The Ozone Secretariat website lists, under their "Science" tab[22], a link to the Disclosure of Interest Declaration for each of the members of the TEAP and for each of the members of its Technical Options Committees and Task Force.

[20] Stockholm Convention on Persistent Organic Pollutants, Decision SC-5/11: Operation of the Persistent Organic Pollutants Review Committee

[21] Stockholm Convention on Persistent Organic Pollutants, Decision SC1/8: Rules of procedure for preventing and dealing with conflicts of interest relating to activities of the Persistent Organic Pollutants Review Committee

[22] UNEP: Ozone Secretariat. (2022). "Science: TEAP members" available at: https://ozone.unep.org/science/assessment/teap/teap-members

62. Furthermore, the TEAP Code of Conduct[23] allows that "a member may decline to disclose information related to activities, interests and funding where its disclosure would adversely and materially affect:

(a) Defence, national security or imminent public safety;

(b) The course of justice in prospective or current court cases;

(c) The ability to assign future intellectual property rights; or

(d) The confidentiality of commercial, government, or industrial information."

63. In considering whether the panel's conflict-of-interest policy should keep disclosure forms confidential, potential trade-offs need to be considered that may arise from making disclosure forms publicly available as a means of bolstering the panel's credibility and legitimacy versus the potential deterrent effect on experts' willingness to volunteer for participation in the panel's work of a detailed and publicly disseminated form. This latter concern may be especially pertinent given the extensive number of experts that the conflict-of-interest policy is likely to apply to under the panel.

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[23] As cited in footnote 15 above, paragraph 10 of Code of Conduct.

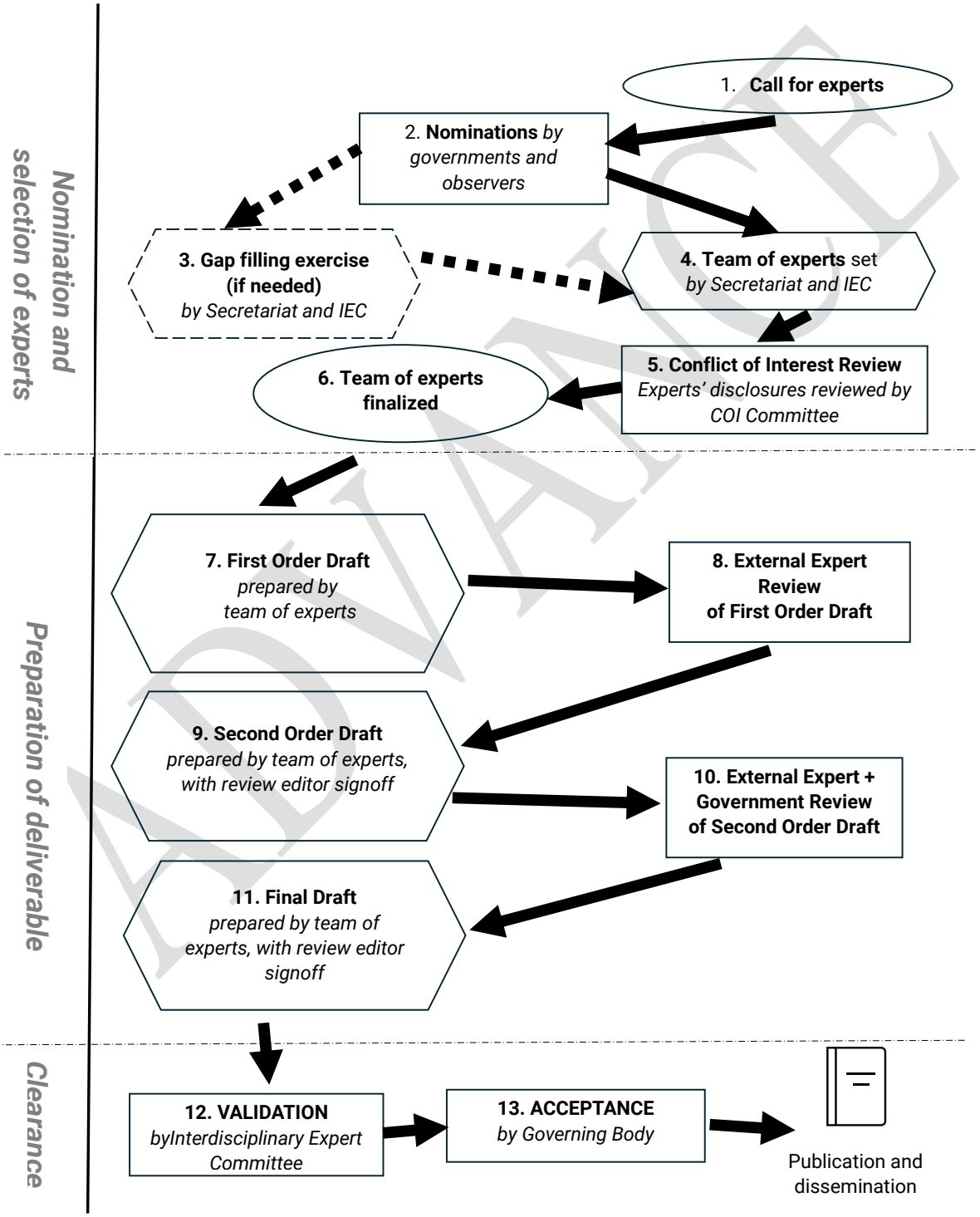
Appendix

The workflow diagrams below have been developed by the secretariat to illustrate the varied ways in which procedures might apply, and how, for different deliverables. These include a sample workflow for: an assessment with scoping; an assessment without scoping; information and communication material.

Key abbreviations:

IEC: Interdisciplinary Expert Committee (proposed)
COI Committee: Conflict-of-Interest Committee (proposed)

A. Sample workflow for an assessment without scoping



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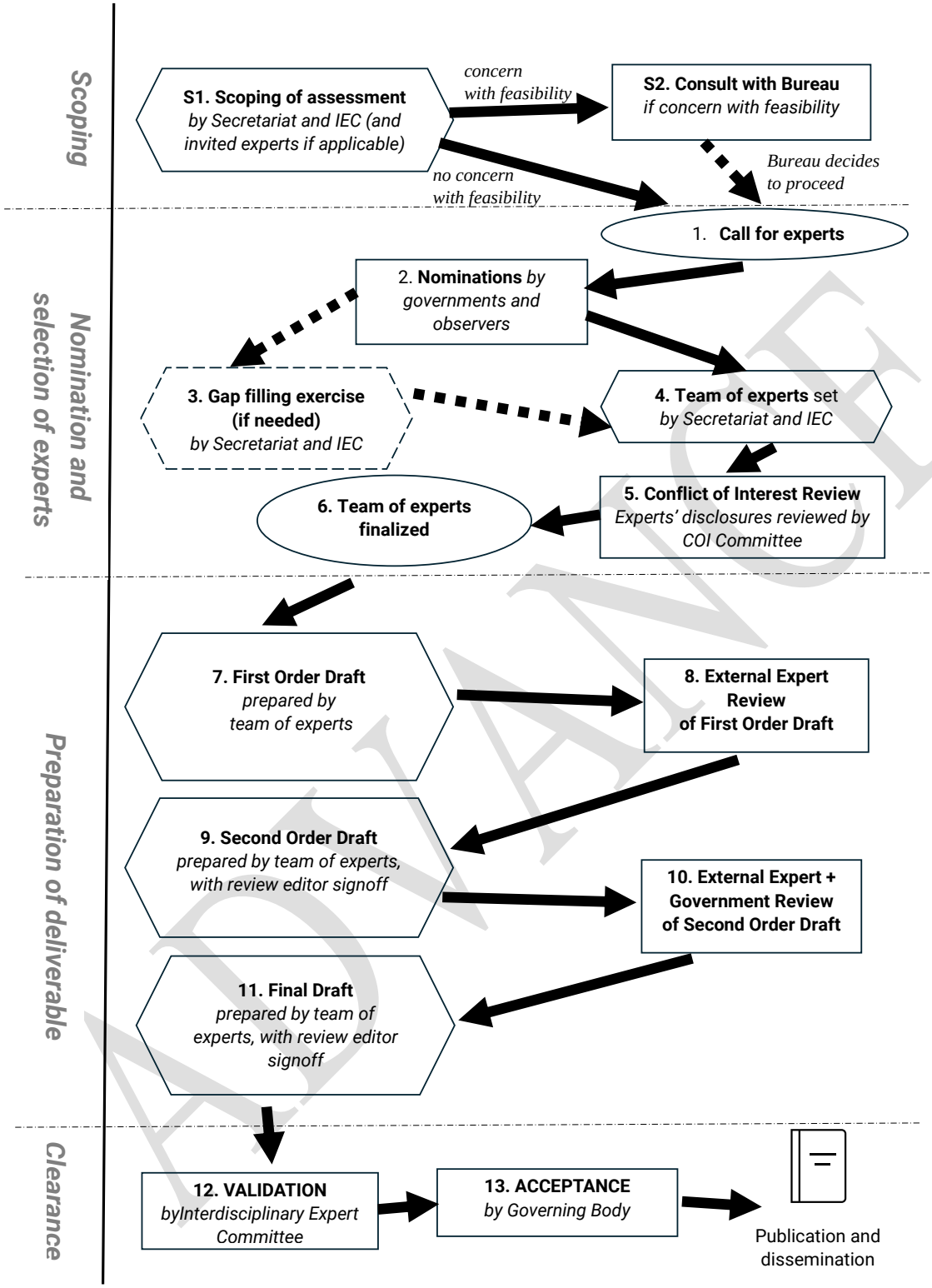
B. Sample workflow for an assessment with scoping



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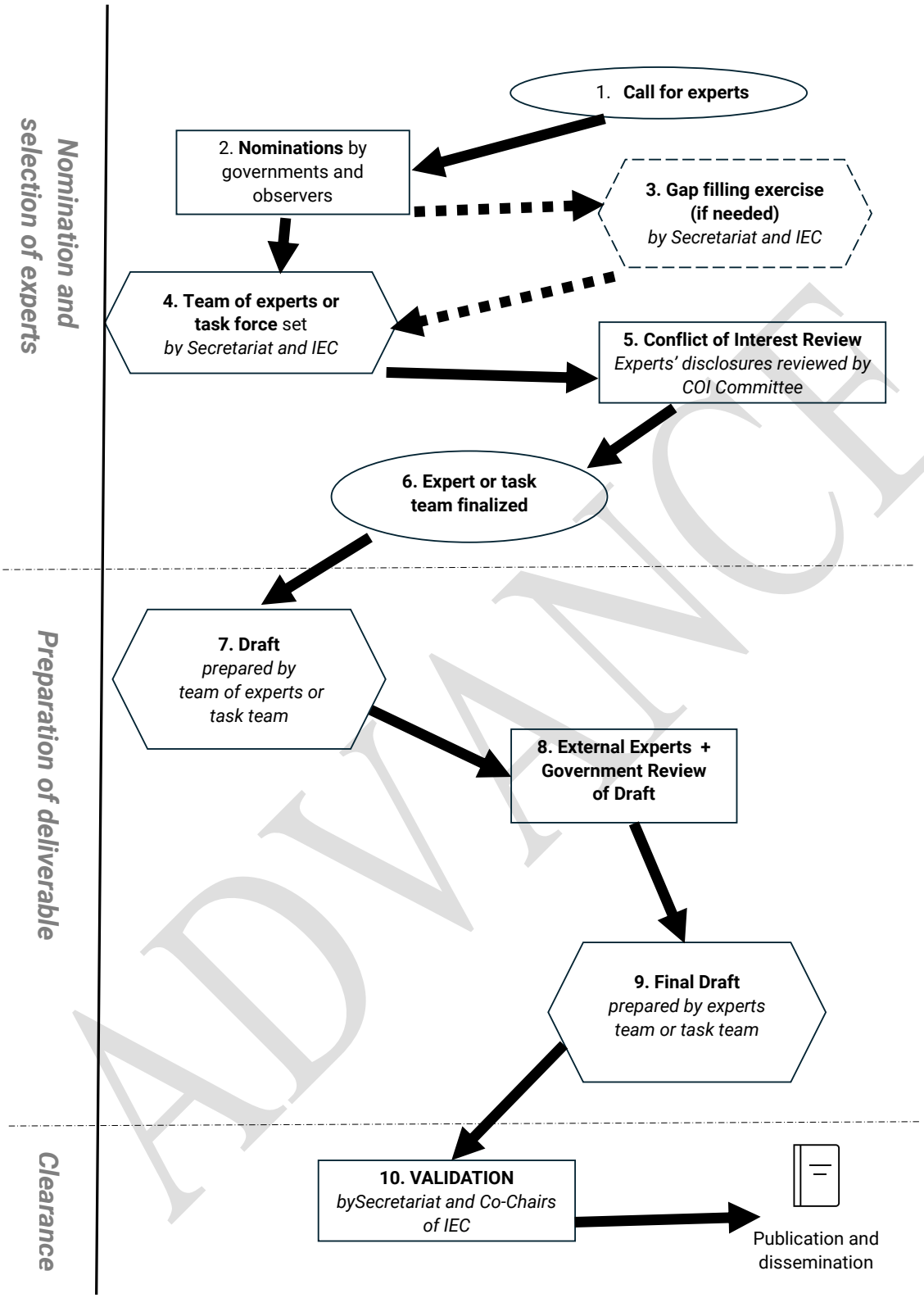
C. Sample workflow for information or communication material



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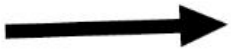
Key for workflow diagrams :

Shape		Meaning
	Oval	Milestone
	Hexagon	Work process
	Rectangle	Review or clearance
	Solid arrow	Proceed to next step
	Dashed arrow	If needed, proceed to/from optional step
	Dashed line around shape	Optional work process

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