

Annual report of the Conflicts of Interest Advisory Committee

33rd Meeting of the Management Board 19-20 March 2014

Item	11
Action	For information
Status	Final - public

Action requested

The Management Board is invited to take note of the annual report of the Conflicts of Interest Advisory Committee.

Background

Pursuant to the Terms of Reference of Conflicts of Interest Advisory Committee¹, once a year the Chair of the Conflicts of Interest Advisory Committee shall prepare a written report to the Management Board on the activities of the Committee. The report shall indicate the nature of the matters dealt with and the advice provided.

Attachment:

- Annual report of the Conflicts of Interest Advisory Committee for 2013

¹ Document MB/38/2012/D(2) final

05 March 2014

Introduction

The Management Board established a Conflicts of Interest Advisory Committee in 2011², prompted by the *Policy for Managing potential Conflicts of Interests*³, which foresees an Ethical Committee within the Agency with a consultative function. It is available to the Management Board and to the Executive Director for consultation on matters related to potential conflict of interests of the individuals staffing the Agency and its bodies. The Management Board requested the Committee to consider a proper name to itself and propose Terms of Reference for the approval of the Management Board.

The first constituent meeting took place on 24 August 2012 in Helsinki, during which the Committee decided to call itself *Conflicts of Interest Advisory Committee* and drafted its Terms of Reference COIAC which were approved by a decision of the Management Board of 28 September 2012⁴.

According to the Terms of Reference the Chair of the COIAC prepares an annual report to the Management Board on the activities of the COIAC. This is the very first report given.

Composition and resources

Pursuant to the Terms of Reference, the COIAC comprises the Head of the Legal Affairs Unit of ECHA as a Chair and two other members: a person appointed by the Management Board among its members and an external expert appointed by the Executive Director.

The Chair of the COIAC was Ms Minna Heikkilä pertaining to her function as the Head of Legal Affairs Unit of ECHA. The Management Board appointed Mr Antonello Lapalorcia, and the Executive Director appointed Mr Thomas Henökl as the external expert based on call for an expert member.

The Executive Office and the Legal Affairs Unit provided the secretariat for the COIAC. In 2013, the Committee met three times in Helsinki.

Recommendations of COIAC pertaining to the provisional eligibility criteria for ECHA's bodies

The 27th Management Board meeting of 27-28 September 2012 agreed that the COIAC will be involved in the further development of the eligibility criteria provisionally adopted for the Committees for Risk Assessment and Socio-Economic Analysis.

The COIAC discussed this provisional eligibility criteria and proposed minor modifications to the text. The Management Board took the recommendations of COIAC fully into account when adopting the new eligibility criteria for membership on ECHA bodies⁵.

² MB/68/2011 final

³ MB/45/2011 final

⁴ MB/38/2012/D(2) final

⁵ see: MB/45/2013 final

First request for advice

On 14 November 2013, the Executive Director for the first time submitted a request for advice to the Chair of COIAC. The request originated from the Chairmen of the Committee for Risk Assessment and the Committee for Socio-economic Analysis. It concerns the approach followed for the Committees in relation to the exclusion of Committee members from voting when these members are employed by the public authority responsible for the dossier preparations that initiate ECHA's proceedings.

The COIAC met on 21 November 2013 and 4 December 2013 in Helsinki to discuss the issue. At the end of the year the advice was being drafted.