



ICES
CIEM

International Council for
the Exploration of the Sea
Conseil International pour
l'Exploration de la Mer

Council Meeting 2018

October 2018

CM 2018 Del-5

Agenda item 5

<https://doi.org/10.17895/ices.pub.7463>

ICES Code of Conduct

Concerning: proposal by CWGCODE (Council Working group on ICES Code of Conduct)

Question to Council: Does Council approve the proposal as put forward by CWGCODE: Yes/No?

Background: CWGCODE was installed after discussions in Council on the inclusion of “industry & NGO” experts in ICES work. A good overview of such experts is missing and opinions in Council differed if and under what conditions such experts can or cannot participate as experts in ICES meetings. CWGCODE had the objective to come up with a practical proposal/solution that has the best chance of being acceptable by all Council members. CWGCODE included: Tammo Bult (chair), Per Sandberg, Olafur Astthorsson, Pierre Petitgas, Alain Vezina, Chris Zimmermann, Carl O'Brien and/or Matt Gubbins, Eskild Kirkegaard, Simon Jennings, Anne Christine Brusendorff. This group was aimed to represent a broad array of opinions and expertise, needed to come up with a proper proposal.

CWGCODE proposal: The main elements of the proposal by CWGCODE (p.2) are:

CWGCODE proposes to install a Code of Conduct to all contributors for ICES work, aimed to:

- make explicit what is expected of all those contributing to ICES work, to ensure transparency and accountability in ICES work and to safeguard the reputation of ICES as an impartial knowledge provider
- make explicit the roles of the various relevant actors, ranging from experts, Delegates, Chairs, Bureau and Council
- make explicit the procedures that are in place in case of a potential breach of this CoC, including procedures that allow for an overview of such incidences for insight and evaluation
- review the CoC in Council after 3 years: to decide if the proposed procedures and CoC achieve the desired outcome

Council delegates will be invited to **approve** the revised Code of Conduct as a trial for a three-year period. Following the trial period, Council should review if the trial has been satisfactory or if changes are needed to the Code of Conduct.

ICES Code of Conduct

Introduction

Given ICES role as a knowledge provider, it is essential that experts contributing to ICES science and advice maintain scientific independence, integrity and impartiality. It is also essential that their behaviours and actions minimise any risk of actual, potential or perceived Conflicts of Interest (CoI). A CoI arises when there is an actual, potential or perceived possibility that a scientist or adviser makes a contribution to ICES work that is not based on a systematic scientific review of the available information and evidence. An actual, potential or perceived CoI arises because the decision or outcome of a process may be influenced, or is perceived to be influenced, by self-interest, professional-interest, external pressures and other factors.

ICES has the ambition to be an inclusive organisation. This implies that experts are primarily judged by their expertise, behaviours and contributions, not their affiliations. Experts with a potential or perceived CoI can be included, provided they follow the Code of Conduct (below) and show through their behaviours and contributions to be fully capable of managing the CoI.

To ensure credibility, salience, legitimacy, transparency and accountability in ICES work, to avoid CoI and to safeguard the reputation of ICES as an impartial knowledge provider, all contributors to ICES work are required to abide by the ICES Code of Conduct below.

The ICES Code of Conduct provides guidance on identifying and handling actual, potential or perceived Conflicts of Interest, defines the standard for behaviours of ICES experts contributing to ICES science and advice and sets the responsibilities of those contributing to ICES work.

Roles of Delegates and Chairs

The National Delegates and Chairs (in the case of “Chair Invited Experts”) are the gatekeepers of the system when nominating experts. It is their responsibility to ensure active adherence to the ICES Code of Conduct. This implies that they are responsible for ensuring:

- All experts contributing to ICES work are aware of the ICES Code of Conduct.
- Actual, potential or perceived Conflicts of Interest are identified and assessed prior to nominating experts.
- Experts are only nominated or invited if the nominating Delegate or inviting Chair are confident that the experts have provided adequate evidence that they can and will abide by this Code of Conduct.

Application of the Code of Conduct

The Code of Conduct applies to scientists participating in ICES Expert Groups, Review and Advice Drafting Groups and ACOM /SCICOM meetings. Occasionally, ICES may run meetings which are intended to solicit stakeholder views. For these meetings, explicitly identified by the Secretariat and in advance of the meeting, participants will be asked to represent specific professional interests.

Code of Conduct

1. The purpose of this code is to ensure transparency and accountability in ICES work and to safeguard the reputation of ICES as an impartial knowledge provider
2. The Code of Conduct applies to all contributors to ICES work and all contributors to ICES work must abide by the Code of Conduct.
- 3 All contributors to ICES work are expected to conduct themselves in a manner consistent with scientific independence, integrity, and impartiality and to declare any Conflicts of Interest.
4. All contributors to ICES work must actively support the ICES vision and mission.
5. All participants at the meeting, including the Chair, are required to declare any Conflicts of Interest and their commitment to abide by the Code of Conduct before their work commences. It is the responsibility of the Chair to ensure these declarations are made.
6. In cases of uncertainty as to whether an action of activity constitutes an actual, potential or perceived Conflict of Interest, it is expected that all persons engaged in ICES work will err on the side of caution and identify, disclose and manage the actual, potential or perceived Conflict of Interest. In situations of actual, potential or perceived Conflict of Interest, all those involved in the discussions are expected to actively seek feedback from one-another, in an open and transparent discussion and in line with the expectations outlined in this Code of Conduct.
7. In cases of actual, potential or perceived Conflict of Interest an expert can still contribute to ICES work if the National Delegate and Chair involved are satisfied that the independence and objectivity of work to be carried out are not at risk, or will not be perceived to be at risk, and that long-term confidence in the impartiality, vision and mission of ICES will not be diminished.
8. In cases when there is an actual, potential or perceived Conflict of Interest of the Chair, the Chair can still contribute to ICES work if the National Delegate and Secretariat are satisfied that the independence and objectivity of work to be carried out are not at risk, or will not be perceived to be at risk, and that long-term confidence in the impartiality, vision and mission of ICES will not be diminished.
9. Chairs should ensure that the full range of available data, evidence and scientific opinions are considered in their groups and that any differences are identified and explored before reaching conclusions.
10. All contributors to ICES work should present and review data, scientific evidence, theory or interpretation honestly and accurately and no contributor to ICES work should knowingly mislead, or allow others to be misled, about scientific matters.

Action in case of a perceived or actual breach of the Code of Conduct

1. The expert involved must seek feedback, from the meeting Chair and participants, on how to resolve the breach and ensure the Code of Conduct is followed.

2. If the discussion (1) does not resolve the issue, the Chair should consult the Secretariat before making a decision on the participation of the expert, either excluding the expert for the entire meeting or for the period during which the issue leading to the perceived or actual breach is being addressed. In this case the Secretariat will inform and if necessary consult the ICES Bureau about the decision within 24 hours. Council acts as the final arbiter in the case of ongoing dispute.
3. To record perceived or actual breaches of the Code of Conduct and to ensure that the Code is being applied in a consistent and transparent manner, the Secretariat will provide Council with an annual report listing breaches and the actions taken to address them.