

## **GUIDELINES FOR DECLARATION OF INTERESTS (WHO EXPERTS)**

<b><u>Introduction</u></b>	page 1
I. Meaning of "Conflict of Interest"	page 1
II. When is an Expert Required to Complete a Declaration of Interests (DOI) Form?	page 3
A. Experts hired under contracts or working on a voluntary basis	page 3
B. Experts participating in scientific advisory meetings	page 4
III. When is a Declaration of Interests not Required?	page 5
IV. How to Analyze the Information Disclosed?	page 6
A. Conflict of Interest Assessment - Description of Steps:	
Step 1: Initial review – Relevance and significance of the interest	page 6
Step 2: Conflict assessment - Factors to consider	page 7
Step 3: Conflict assessment – The Balancing Test	page 7
Step 4: Conflict assessment – Possible options	page 8
Step 5: Note for the Record	page 9
V. Public Disclosure	page 9
A. Examples of interests that must be publically disclosed	page 9
VI. Public Notice and Comment	page 10
VII. Practical Consideration Relating to the Selection of Experts and the Management of Conflicts of Interests	page 10
VIII. Miscellaneous	page 12
 <b><u>Annexes</u></b>	
Annex 1:	Is Declaration of Interests Form Required? - Summary Sheet
Annex A:	Guidance to Experts in Connection with the Completion of WHO DOI Forms
Annex B:	Code of Conduct for WHO Experts
Annex C:	Confidentiality undertaking

**GUIDELINES FOR**  
**DECLARATION OF INTERESTS (WHO EXPERTS)**

**INTRODUCTION**

1. Each year, scientists and other professionals contribute to the solution of global health problems by participating in expert committees, advisory groups, conferences, study and scientific groups and other activities of the World Health Organization (WHO). To be effective, the work of WHO and the contributions of its experts must be, and must be perceived to be, objective and independent. In this regard, to ensure the highest integrity and public confidence in its activities, WHO requires that experts serving in an advisory role disclose any circumstances that could give rise to a potential or reasonably perceived conflict of interest related to the subject of the activity in which they will be involved.
2. These Guidelines explain the **meaning** of a "conflict of interest"; identify **when** an expert must complete a declaration of interests form ("DOI Form"); explain **how** the WHO Secretariat through the relevant technical unit (the "Secretariat"), should assess the information disclosed; and describe **what actions** should be taken when a potential conflict appears to exist. The Guidelines also describe the Public Notice and Comment procedure and provide a listing of practical considerations relating to the selection of experts and the management of conflicts of interest. The DOI Form can be found on the WHO Menu.
3. These Guidelines are also applicable to WHO hosted partnerships in the context of expert meetings or groups that they convene or certain Agreements for Performance of Work (APWs) or other contracts that they issue and where the objective is to provide expert advice in relation to, for example but not limited to, the development of partnership advocacy material, technical reports or the assessment of funding proposals.
4. The DOI Form can be found on the WHO Menu, as well as on the LEG and CRE intranet websites.

**I. MEANING OF "CONFLICT OF INTEREST"**

1. Paragraph 4.6 of the Regulations for Expert Advisory Panels and Committees states that "In the exercise of their functions, the members of expert advisory panels and committees shall act as international experts serving the Organization exclusively ... they *shall disclose all circumstances that could give rise to a potential conflict of interest as a result of their membership of an expert committee, in accordance with the mechanisms established by the Director-General for that purpose.*" This basic principle about the integrity of service provided to WHO as an international organization constitutes the legal basis for the mechanism described in these Guidelines and for the use of the DOI Form, including for experts providing advice in other forms than membership in expert advisory panels and committees.
2. In the context of these Guidelines, the term "conflict of interest" means any interest declared by an expert that may affect or reasonably be perceived to *(1) affect the expert's objectivity and independence in providing advice to WHO, and/or (2) create an unfair competitive advantage for the expert or persons or institutions with whom the expert has financial or business interests (such as adult children or siblings, close professional colleagues, administrative unit or department).*
3. WHO's conflict of interest rules are designed to identify and avoid **potentially compromising situations** from arising thereby protecting the credibility of the Organization and of its

normative work. If not identified and appropriately managed such situations could undermine or discount the value of the expert's contribution and as a consequence the work in which the expert is involved. Robust management of conflicts of interest not only protects the integrity of WHO and its technical / normative standard setting processes but also protects the concerned expert and the public interest in general.

4. In relation to WHO work, "conflict of interest" applies to current interests. WHO has defined current interests as those that have arisen during a period of **4 years preceding** the WHO advisory work or activity that an expert has been invited to participate in. In this regard, the term "conflict of interest" does not apply to past interest that have expired or that no longer exist nor does it apply to possible interests that may arise in the future but which do not currently exist.

## **Types of Interests**

### 5. *Direct Interest*

A conflict of interest is usually **financial** and arises where the expert receives **income or support** that is related to or could be affected by the outcome of the WHO meeting or activity involved. The conflict could involve **personal financial gain**, such as consulting income or honoraria, a **business interest**, such as a partnership or joint venture; an **investment**, such as stocks or bonds; **financial support for research** from the private sector given directly to the expert or to his university or research institution; or an **intellectual property interest**, such as a patent or copyright. A conflict of interest could also arise where an expert's participation in an activity accords him or her access to proprietary information or gives the expert a commercial competitive advantage.

### 6. *Interests of Others*

A conflict of interest usually relates to the expert's own interests. However, it could also be created by **interests of others** who may, or may be perceived to, unduly influence the expert's views. A typical example is where an expert's work could affect or be affected by interests held by the expert's family, rather than the expert personally. Accordingly, relevant interests of the expert's **immediate family members** must be declared. Under these Guidelines, the term "immediate family member" includes the expert's spouse and children. "Spouse" includes a partner with whom the expert has a similar close personal relationship.

7. In addition, if the expert is **aware** that the outcome of the activity would benefit or adversely affect **other parties** with whom the expert has **substantial common interests** -- whether personal, professional or financial -- disclosure of those affected interests is also necessary. Examples of other parties include the expert's siblings, parents, employer, close professional colleagues, administrative unit or department.

### 8. *Bias*

Expert committee members or other individuals providing technical or normative advice to WHO may have some degree of "intellectual bias" in relation to a particular topic. Experts are expected to have and assert their own views and opinions on the topics under review, and in a sense that is why WHO wishes to invite them; what should be considered for the purpose of these guidelines are views and opinions that could be perceived as affecting the impartiality of the expert. Evidence of such bias could, for example, be identified through public statements made and positions held as part of a regulatory or judicial process. Whereas it could be important for other advisory body members to be aware of such public statements or positions,

the potential bias may, but does not necessarily, constitute conflict of interest. However, in situations where there is a significant directly related interest or duty of the individual, for example, as the head or as part of the leadership of an organisation or other professional society that has publicly and repeatedly taken a fixed public position on an issue that is under review by a WHO advisory body, then a bias in such a situation may constitute an interest to be disclosed and managed. This would be the case because such a person could be expected to represent or defend the interests and the position espoused by the organization.

9. *Unfair or competitive advantage*

Information that is disclosed or deliberated upon in the context of WHO advisory body meetings will in most cases be confidential and occasionally proprietary to WHO or to third parties working with it. In this respect, a conflict of interest would arise if the disclosure of such information to an expert would give him or her a clear actual and direct financial or pecuniary benefit. Such a benefit could be in the form of information that would give the expert an unfair or competitive advantage, for example, in a product development or commercialization setting. Depending on the specific circumstances and taking into account information disclosed on the DOI Form, the participation of an expert may need to be limited to avoid such an unfair advantage being given which in turn would expose WHO to public criticism and be a basis for protest or challenges by third parties.

10. *Tobacco*

As part of its efforts to address undue influence by the tobacco industry, WHO also requests disclosure by all experts working with it of any employment or other work for the tobacco sector. For the purpose of these Guidelines, “tobacco industry” refers to any entity directly involved in the production, manufacture, distribution or sale of tobacco or tobacco products or representing the interests of any such entity. Disclosure of such information would not necessarily be considered a reason to disqualify an expert.

**II. WHEN IS AN EXPERT REQUIRED TO COMPLETE A DECLARATION OF INTERESTS FORM?**

1. Generally speaking, a conflict of interest analysis must be performed whenever WHO relies on the independent advice of an expert in order to take a decision or to provide recommendations to Member States or other stakeholders. In such cases, a DOI Form must be completed whenever an expert is asked to serve in an advisory role in a personal capacity and not as representative of his or her institution. As explained below, this situation typically arises where an expert is either: (1) providing advice **under contract or on a voluntary basis** or (2) participating **in scientific or technical advisory meetings**.

**A. Experts under contracts or working on a voluntary basis**

2. Where the expert is engaged under a contract or is serving on a voluntary (unpaid) basis, the basic rule is to request a DOI Form whenever the work involves (i) *an assessment or analysis* intended to lead to the development of *recommendations, norms or policies* (such as recommendations on a work programme or standard setting guidelines) or (ii) *an evaluation of a product, compound, organism, process or methodology*. In these circumstances, the DOI Form must be completed by the expert and evaluated by the Secretariat, before the activity begins.

*Examples where DOI is required include:*

- a *scientist* hired under an *Agreement for Performance of Work (APW)* to prepare a study for WHO;
  - the *principal investigator of a research institution* retained under a *Technical Service Agreement (TSA)* for the testing of compounds submitted by a commercial enterprise;
  - a *lecturer* hired for a workshop organized or sponsored by WHO;
  - a *peer reviewer* asked to evaluate proposed guidelines or an article for a WHO publication;
  - a *temporary adviser* asked to visit a research site, develop a working paper or provide impartial advice to members of a committee.
3. DOI Forms should be completed and submitted by the expert and evaluated by the Secretariat before a contract can be concluded or the expert has begun performing the tasks for which he/she has been hired.

**B. Experts participating in scientific and technical advisory meetings**

4. For scientific and technical advisory meetings, a DOI is required where the meeting involves normative or assessment functions and where the expert is providing advice that is the basis for decision-making by WHO. Meetings that involve normative or assessment functions are meetings that have been convened to develop or contribute to the development of: (i) norms, guidelines, policies or recommendations or (ii) assessments of a product, compound, organism or methodology. It is important to stress that WHO experts do not and should not make WHO policy decisions. Their role is to provide advice to the Secretariat and, if requested, make recommendations so as to enable WHO to formulate and make policy decisions.
5. A DOI is required from all experts, whether in attendance or not, who are called upon to reach conclusions, formulate guidance or recommendations or provide advice or research. This includes participants in the advisory meeting as well as a scientist hired as a temporary adviser to prepare a working paper or conduct a study to be considered by members of the committee.
6. The summary chart below list the various categories of WHO experts that are required to complete a DOI form.

<i>Expert Category</i>	<i>Function</i>
<b>Members</b>	Serve as full participants and partake in the decision making process of the meeting in which they are involved.
<b>Temporary Advisers</b>	Provide working papers or advice to the Secretariat or to a committee or sub-committee and partake in discussions, but not in the decision making process of the meeting to which they contribute.
<b>Peer Reviewers</b>	Provide an external independent review of the work or performance of others in the same field in order to maintain or enhance the quality of the work or performance in that field.

7. As is the case with experts performing under contract, the DOI Form must be completed by the expert and be evaluated by the Secretariat before a formal invitation to the meeting or activity is issued.
8. Expert Advisory Panels: These are lists or rosters of experts established by the Director-General under section 2.1 of the Regulations for Expert Advisory Panels and Committees, from which the members of experts committees and other advisory bodies are normally drawn. An expert appointed to an Expert Advisory Panel must complete a DOI Form twice. In the first instance, a DOI Form must be completed as part of the process leading up to such expert being placed on such list or roster. This is to identify any major interests of a general nature

that may impact the decision of the Director-General to appoint the expert to an Expert Advisory Panel. In the second instance, a DOI Form must also be completed when the expert is subsequently requested to participate in a specific advisory meeting or perform a particular task. This is necessary in order to enable the Secretariat to make a conflict assessment in relation to the precise nature of the work or activity and the interests held at that time by the expert.

9. If an expert declines to complete a DOI Form, or if he/she refuses to disclose a potentially significant conflict to other meeting participants or in the report or work produced, the expert must not be permitted to participate in the activity.

### III. WHEN IS A DECLARATION OF INTERESTS NOT REQUIRED?

#### 1. *Observers*

Observers invited to WHO meetings are not required to complete a DOI Form. An "Observer" is an attendee who is invited purely to "observe" or may be permitted by the Chair to speak but does not participate in the formulation of recommendations or advice. Since Observers are invited to attend because they normally represent groups interested in the proceedings, their affiliations are transparent.

#### 2. *Representatives of industry and other interest groups*

Representatives of industry, trade associations or other interest groups who are invited to an advisory committee or other meeting are not required to complete a DOI Form. Such persons are normally invited to exchange information or present views as an industry spokesperson, not to make an assessment or to give advice as an independent expert.

#### 3. *Representatives of national agencies and institutions, intergovernmental and non-governmental organizations*

Representatives of national institutions, the United Nations, UN specialized agencies, other intergovernmental organizations and non-governmental organizations invited by WHO to participate in an advisory meeting as representatives of their organization, are not expected to complete a DOI Form. In this capacity, they are not being invited to make an assessment or give advice as an independent expert, but are presenting the views of their organization. Accountability for any interest by those representatives is towards their respective institutions rather than WHO.

However, if any such person is invited to serve as an "expert" in an individual capacity", i.e., provide "independent expert advice" to WHO (where the value of their participation is dependent on their independence and objectivity), then they must complete a DOI Form.

#### 4. *Governing Body Meetings*

These guidelines are **inapplicable** to **governing body meetings** which consist solely of representatives of Member States, the UN and other specialized agencies, intergovernmental and nongovernmental organizations (in official relations with WHO) and Observers. Attendees at such meetings are not invited to advise WHO on the basis of their being experts independent of commercial or other interests, but rather because they are *representing a Member State or organization*.

#### 5. *Contracts or APWs for the provision of a certain type of service to WHO*

A DOI is not required from a contractor or professional (hired or serving as a volunteer), who performs *a service for WHO* when their professional bias and financial interests are normally of little or no relevance to the performance of the task. As an example, individuals hired to do *graphic design, repair printers, provide language training, IT specialists* and any others rendering similar support would not be required to complete a DOI Form. On the other hand, if the contractor's work would significantly involve providing advice or recommendations which could influence WHO's decision, such as on WHO's purchase of a product line or choice of a supplier, a DOI Form should be completed, as such a task normally calls for the contractor's objectivity and independent judgment.

#### IV. HOW TO ANALYZE THE INFORMATION DISCLOSED?

1. The DOI Form consists of a series of questions requesting disclosure of any interest relevant to the subject of the work to be performed or to be discussed at a meeting in which the expert has been invited to participate. If the expert answers any question in the affirmative, he/she is asked to supply further details at the end of the form.
2. An affirmative answer in the DOI Form does not automatically disqualify the expert. Rather, affirmative answers are screened by the Secretariat to determine if a potential conflict of interest exists.
3. The Secretariat should request from the expert both a current curriculum vitae (CV) and a DOI Form. The Secretariat should evaluate the responses in the DOI Form in conjunction with information in the expert's CV, since one may provide relevant information that is not apparent from the other.

##### A. Conflict of Interest Assessment - Description of Steps

###### STEP 1: The Initial Review: Relevance and Significance of the Interest

1. Upon receipt of a completed DOI Form from an expert, an **Initial Review** is conducted by the Coordinator or Director of the technical unit or programme responsible for the meeting or the activity in which the expert is involved, to determine whether an *interest has been declared, and if so, whether it is insignificant or whether it is potentially significant*. The Coordinator or Director will normally *delegate the task of the Initial Review* to the person responsible for the meeting or contract ("Responsible Officer").
2. A declared interest is *insignificant or minimal* if it is unlikely to affect or be reasonably perceived to affect, the expert's judgment. Normally, insignificant or minimal interests are:
  - unrelated or are only tangentially related to the subject of the activity or work and their outcome;
  - nominal in amount or inconsequential in importance;
  - expired and are unlikely to affect current behaviour.
3. If, after the Initial Review, the Responsible Officer determines that no relevant interest has been declared or such interest is insignificant or minimal, then he/she must record this in writing, e.g. in a note for the record or a memorandum to the Coordinator or Director concerned. Only at this point, should the Secretariat send to the expert an invitation to participate in the meeting or activity or issue the appropriate contract (TSA, APW etc.) for the work to begin. In case of doubt or uncertainty, the Responsible Officer should consult with the Office of Compliance, Risk Management and Ethics (CRE) in WHO Headquarters.

4. However, if the Initial Review indicates that the declared interest is significant or potentially significant, no further action may be taken until the Responsible Officer undertakes a full assessment, as described in the next step, of the potential conflict of interest.

**STEP 2: The Conflict of Interest Assessment: Factors to Consider**

1. The purpose of this assessment is to determine **whether the expert may participate in the activity at all or whether the expert may do so only under certain conditions**. The following actions should be undertaken to ensure that an appropriate and robust assessment takes place:

- a. After the Initial Review, the Responsible Officer should convene a meeting with the Director or Coordinator and relevant technical staff to discuss and review all the DOI Forms in which a relevant interest has been declared. In case of doubt or uncertainty, the Responsible Officer should consult with CRE who may in turn consult with LEG, as appropriate. All relevant interests should be individually discussed and any decisions or follow-up actions agreed. In this regard, the following non-exhaustive and indicative list of issues should be considered:

- The nature and value of the interest e.g. intellectual property (e.g. patents), financial and/or investment, the value of which exceeds USD 5,000 ;
- Academic \ intellectual vs. financial;
- Number of relevant interests declared on the DOI Form;
- Personal vs. non-personal (department or institution) nature of the declared interest;
- If non-personal, the position and role of the expert in the department or institution;
- Relationship of the expert's institution with WHO;
- The relevance and specificity of the declared interest in view of the subject matter of the meeting or work to be undertaken;
- The timeliness of the interest. Is it still current i.e. has it occurred within a period of 4 years from the foreseen WHO meeting or activity?
- Whether the interest relates to an expert's immediate family member;
- Whether the interest could be attributed to a professional bias reflected repeatedly as part of expert testimony in a regulatory or judicial proceeding or by reason of the expert's office.
- Whether the participation of the expert in the meeting or work provides, or may provide him or her, with clear actual and direct financial or pecuniary benefit or enable him or her to obtain access to a competitor's or potential competitor confidential proprietary information.

- b. A further investigation should always be undertaken if the Responsible Officer, Director or Coordinator has any concerns about any aspect of the information provided. Further information or clarifications may be required from the expert concerned.

**STEP 3: The Conflict of Interest Assessment: The Balancing Test**

1. A conflict of interest assessment essentially involves carrying out a “**balancing test**”. In carrying out such a balancing test, the Secretariat, while fully considering the contribution, tasks and function of the expert as well as the availability of alternative experts with the required expertise, must weigh:



- *the nature, type and magnitude of the expert's interest and therefore the degree to which the interest may be reasonably expected to influence the expert's judgment*

**against**

- *the adequacy of measures/options available to protect the independence and integrity of the decision-making process.*

**STEP 4: The Conflict of Interest Assessment: Possible Options**

1. If it is concluded that a declared interest is potentially significant, one of the following three **options, or a combination of those options**, may be considered to determine under what conditions, if any, the expert may participate in the activity or meeting.
2. The Responsible Officer and/or Director or Coordinator should always consult the Chair of the meeting prior to making a public disclosure of an expert's interest to other meeting participants or considering any of the measures described below.
  - (i) **Conditional Participation:** Under this option, the Responsible Officer would decide to **continue** the expert's involvement in the meeting or work and publicly **disclose the expert's interest** at the start of the meeting to all meeting participants and **in the report** of the meeting and/or relevant publications or work products. This approach is especially appropriate where the expert's interest is **relatively minor**.
  - (ii) **Partial Exclusion:** In this alternative, the Responsible Officer would **limit** the expert's involvement, either (a) by **excluding** the expert from that **portion of the meeting or work** where a conflict of interest has been identified and/or (b) **excluding the expert from participating in the decision making process** relating to the development of, for example, guidelines or recommendations. In both cases, and after consulting the Chair of the meeting (if applicable), the reported interest must **also be publicly disclosed** to other meeting participants and must be recorded and disclosed **in the report** of the meeting and/or relevant publications or work products. Partial exclusion must be carefully monitored. It may only be used to enable other members to listen to the results of research or views held by the best-qualified experts, while bearing in mind the expert's potential bias.
  - (iii) **Total Exclusion.** In this case, the expert is excluded from the meeting or work altogether, where the nature of the conflict of interest is too significant vis-à-vis the overall objective, or where limiting the expert's involvement to only a portion of the meeting or work is not feasible (because, for example, the expert's participation in the remainder of the meeting would have little or no value). A decision to exclude an expert should always be taken in consultation with the relevant Assistant-Director General or Director of Programme Management (DPM) if in a regional or country office setting.
3. As a general matter, **a useful approach** is to assess the situation through the eyes of a hypothetical "**reasonable person on the street**". If an appropriately well informed person might reasonably conclude that the work or proceedings as a whole were tainted, or were unfair or were unduly influenced by the expert's interest in the outcome, then the expert's involvement should be excluded or limited (rather than merely disclosed).
4. If the Responsible Officer, after meeting with the Director or Coordinator, is unable to determine which action should be taken in an individual case, the DOI responses should be reviewed with CRE who may consult with LEG, as appropriate.

5. It is recommended that the Secretariat **also personally contact the expert whenever considering partial or full exclusion**, both as a courtesy towards the expert and in order to confirm its understanding of the interests declared as such an exchange may yield additional information that may be pertinent to a conflict of interest analysis.

**STEP 5: Note for the Record:**

At the end of the meeting(s) during which the DOI Forms are reviewed and assessed, the Responsible Officer should prepare minutes of the meeting(s) or a memo to file to record the decisions made and, in brief, the reasoning behind such decisions. The minutes or memo to file should be approved by the Director or Coordinator of the unit concerned.

**V. PUBLIC DISCLOSURE**

1. As stated above, if an expert declares an interest that leads the Secretariat to either conditionally approve his/her participation in a meeting or to partially exclude him/her from a meeting or activity, then the Secretariat must make a public disclosure of that interest to meeting participants as well as in the final report, relevant publication or work product emanating from such meeting or activity.
2. Public disclosure of an expert's interest does not eliminate the conflict of interest but rather mitigates it by making others aware of the interest thereby enabling them to exercise an appropriate degree of critical assessment about the views or recommendations that are made by that expert.

**Examples of interests that must be publically disclosed:**

- financial interests and investments (stocks, compensation or otherwise);
  - financial support for research activities provided by the private sector directly to the expert or indirectly to his/her university or research institution;
  - patents or other form of intellectual property that are held by an expert or that he/she is a beneficiary of and that relate to the subject matter of the meeting;
  - consultancies, employment relationships or other external professional activities as well as the name of the entities with whom the expert has or has had a relationship as well as a general statement of the duration of such relationship, if known;
  - speaking fees from, or sponsored participation in, lectures, symposia and seminars.
3. In disclosing the financial interest of an expert, the Secretariat should either use general characterizations or ranges of amounts depending on the particular circumstance involved. For example, if the aggregate amount of consultancy fees from any single company exceeds USD 5,000 in a calendar year, it would be characterized as "significant". Likewise, a shareholding in any one company the value of which exceeds USD 5,000 would also constitute a "significant shareholding". Regardless of the amount of shares or their value, however, the Secretariat should always disclose when an expert has a controlling interest in a company, i.e. when he/she has the ability to influence decisions taken by the company.
  4. Examples of disclosure statements:
    - *Significant shareholding in company XYZ*
    - *Short-term consultancy for company ABC*
    - *Travel and/or accommodation paid by company ABC*

- *More than USD 1,000 but less than USD 5,000 in speaking fees over the past xx years received from company XYZ*
  - *Is the holder of a patent related to a drug (or device) used in the treatment of .....*
  - *Is the licensee of technology related to.....*
  - *Less than USD 100,000 in income received from company ABC over the past xx years*
  - *Has 3,000 shares in company with a value in excess of USD 5,000*
  - *Has an insignificant shareholding in company ABC*
  - *Minor income received in respect of a consultancy conducted for company ABC during 2005*
  - *Has provided expert testimony to a parliamentary or congressional committee, or within a judicial proceeding, on the subject matter of the meeting*
5. In meetings where relevant interests are disclosed by experts, the WHO Secretariat should prepare a summary of the DOI responses accurately characterizing each expert's relevant conflicts. The Chair at the start of the meeting should then read the summary.

## **VI. PUBLIC NOTICE AND COMMENT**

1. In order to strengthen public trust and transparency in connection with WHO meetings involving the provision of expert advice in developing technical norms and standards, technical units are required to publish the names and brief biographies of individuals considered for participation on WHO's advisory bodies together with a description of the objectives of relevant meetings. They will be made public ahead of the first meeting planned to allow time for "public notice and comment".
2. The technical unit should ensure that the public is afforded a period of not less than 2 weeks to provide information on any interests or biases relating to the individuals being considered for appointment. Such information should be e-mailed to the Secretariat using an email address designated for this purpose and should be treated in a confidential manner.
3. To the extent that this process leads to the provision of information on an expert being considered for appointment to an advisory body that has not been disclosed by such expert on the DOI form and that could give rise to a real or perceived conflict of interest, then the technical unit should:
  - a. discuss the matter with the expert concerned;
  - b. have him or her amend the DOI form as appropriate, to reflect the new information obtained i.e. if it is deemed to be relevant to the work of the advisory body being convened by WHO;
  - c. have the DOI form assessed as per these guidelines.
4. Requests for waivers of the applicability of the "public notice and comment" process shall be submitted by the relevant ADG (DPM or DRD in a regional setting) to CRE for review. Thereafter, CRE shall make a recommendation to DGO which will decide on the matter.
5. Operational procedures will be developed in due course as part of the progressive roll out of this process.

## **VII. PRACTICAL CONSIDERATIONS RELATING TO THE SELECTION OF EXPERTS AND THE MANAGEMENT OF CONFLICTS OF INTERESTS**

As the WHO technical unit identifies or invites individuals to serve on advisory bodies or perform advisory services, it should:

- a. Gather information (e.g. from the internet or public media) in order to identify any obvious public controversies or interests that may lead to compromising situations for WHO and the expert concerned. Should such review reveal information that should have been disclosed on a DOI, the technical unit should consult the expert concerned and he or she should amend their DOI form and submit it for assessment to the WHO Secretariat.
- b. Consult with the ADG (DRD or DPM in the regional office setting) on whether the Public Notice and Comment process is necessary for the advisory meeting concerned.
- c. Start with a large pool of individuals in case the participation of some individuals needs to be limited or excluded as a result of the conflict of interest assessment.
- d. Aim to ensure that, with respect to scientific or technical advisory meetings, the **majority** of experts have not disclosed interests that may give rise to a real or perceived conflict of interest. If this is not the case, then the Director and Coordinator should seek the advice of CRE.
- e. To the extent feasible, try to find individuals who do not have interests that may give rise to a real or perceived conflict of interest or have no public controversies surrounding them which could give rise to reputational issues for the WHO. This would involve the technical unit, for example, doing some internet searches on the potential individuals, cross checking previous DOIs filed by experts in the context of other advisory meetings convened by the same WHO department.
- f. To the extent possible, seek to identify individuals with open minds as opposed to individuals that are known to have pre-conceived strong views on a given subject.
- g. Ensure that the chair of an expert committee or group is free from any real or perceived conflict of interest.
- h. Ensure that individuals identified represent a diverse and adequate range of substantive and methodological tools and expertise.
- i. Ensure that experts understand that their eventual appointment to a WHO expert committee or group, or their assignment in advisory function, is conditional on completing the DOI form and its assessment by the WHO Secretariat and that they have an on-going obligation to inform the WHO Secretariat of any changes to information previously disclosed on the DOI form or of any new information that may give rise to real or perceived conflict of interest.
- j. Ensure that experts understand that they would be participating in WHO expert committee, meeting or activity in a personal and individual capacity notwithstanding their employment relationships with entities or organizations.
- k. To the extent that information disclosed on a DOI form is unclear or incomplete, the technical unit should proactively reach out to the expert to clarify any issues or seek to complete missing information.
- l. Ensure that the experts selected are not WHO staff.
- m. Ensure that they have read, understood and agree to abide by the WHO's Code of Conduct for WHO Experts (attached as Annex 3).

2. In addition to including a section on Declaration of Interests in public reports emanating from advisory body meetings or the activity concerned, the technical unit should routinely include a section containing pertinent high-level biographical information on the individual experts involved in such meetings. This biographical information should be limited to a maximum of 200 words and be prepared and submitted by the expert. Modifications by WHO to such biographical information must be reviewed and approved by the concerned expert.

The technical unit should request experts to submit such biographies ideally along with their completed DOI form.

## **VIII. MISCELLANEOUS**

1. In order to avoid modification of the DOI form and to the extent that it is sent to a recipient through electronic means, it should preferably be emailed in PDF format.
2. A completed DOI Form is a confidential working document of the Secretariat and should not be distributed or made public, also to protect legitimate privacy concerns of the experts. In this regard, the concerned unit should not in any statement or document relating to a piece of work or to a scientific or technical advisory meeting, state that the DOI Form itself will be made available to the public or any other third party. Information stated on the form is only used to evaluate whether an expert's declared interests constitute a real, potential or apparent conflict of interests. In this regard, relevant information (as opposed to the form itself) may be summarized and publicly disclosed.
3. DOI forms should be retained by the technical unit concerned for at least ten years. The DOI Forms should be filed and maintained in a manner consistent with general procedures for the retention of confidential documents. In particular, the completed forms should remain under the responsibility of a senior officer of the technical unit in segregated files kept in a locked cabinet or uploaded in a password secured department share point .
4. Even though these Guidelines are meant as a guidance document for the Secretariat, they could also provide useful guidance to experts who have to complete and submit DOI Forms. Technical units are encouraged to provide the Guidelines to invited experts, either enclosing them with the DOI forms or by e-mail.
5. Technical units are strongly encouraged to also familiarize themselves with:
  - a. Guidance in relation to WHO Technical Advisory Groups:  
<http://intranet.who.int/homes/kms/experts/technicaladvisorygroups/>
  - b. WHO E-manual provisions relating to Temporary Advisers (section III.16.1):  
<http://emanual.who.int/p03/s16/Pages/III161TemporaryAdvisers.aspx>
6. To further assist technical units in managing Conflict of Interests as relates to WHO Experts, the following documents are attached to these guidelines:  
Annex 1: Is Declaration of Interest Required – Summary Sheet  
Annex A: Guidance to Experts in Connection with the Completion of WHO DOI Forms  
Annex B: Code of Conduct for WHO Experts  
Annex C: Confidentiality undertaking
7. Annex A and B above should be sent to individuals being considered for advisory work along with the DOI form. Annex C should be sent with the invitation or appointment letter.