Procedures for establishing and m anaging IUCN-supported Independent Scientific   & Technical Advisory Panels
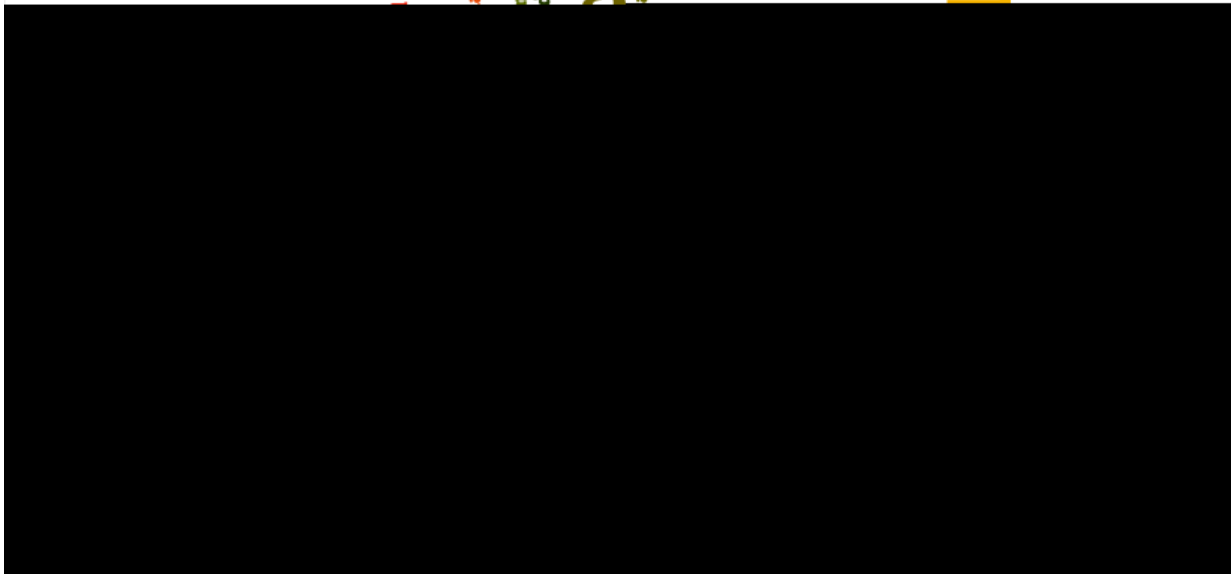
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PROCEDURES FOR ESTABLISHING AND MANAGING IUCN-SUPPORTED INDEPENDENT SCIENTIFIC & TECHNICAL ADVISORY PANELS

Purpose of the procedure: The procedures are intended *to ensure that Independent Scientific & Technical Advisory Panels (ISTAPs) deliver credible and robust advice to third parties in a manner that safeguards and enhances IUCN's reputation with all major stakeholder groups.*

IUCN must be able to demonstrate that the Panels are independent, transparent, accountable and scientifically rigorous, and that they engage openly with all relevant stakeholders. These procedures are mandatory and must be applied in full to any group of experts convened by IUCN to provide independent scientific and technical advice to a third party.

The procedures do not supersede any IUCN policy related to project design, review and management, including:

- [Policy and Procedure on Procurement of Goods and Services](#)

- [Project Guidelines and Standards](#)

- [Code of Ethics](#)

- [Delegation of Authority](#)

1.

1.2 A definition of ISTAP

ISTAPs are medium-to-long-term processes that involve the formal designation of a group of experts who will engage in a set of pre-defined activities aimed at providing scientific and/or technical advice on a specific biodiversity conservation or natural resource management issue. Typically, the recipient of the advice is one or more business entities or public authorities. The following are some common characteristics of ISTAPs:

- They offer evidence-based advice and are composed of individuals with the expertise and competency to critically evaluate all relevant evidence and provide recommendations for solutions to challenging issues.

- They are set up to allow the Panel members to gather and consider scientific and technical evidence and to reach and disseminate their conclusions independent from any external influence, including that of the intended recipient of the advice.

- The scope of their enquiry is focused on a set of specific, pre-defined conservation and natural resource management questions, and the process is time-bound.

- Their members bring to the table the required expertise from different disciplines and are expected to consider all evidence before them strictly from a technical/scientific point of view.

- Panel members work with all relevant stakeholders and are willing to take and review evidence from a diversity of disciplines and perspectives.

1.3 Risks and management options for IUCN

Given that an ISTAP's mandate can run for several years and that the advice is most commonly associated with public or private sector operations that may be considered controversial, there are a number of risks for IUCN in convening such a process. Risks that must be revisited throughout the life of the Panel include:

- **Reputational risks:** For IUCN and Panel members there is a reputational risk from being associated with the provision of scientific and technical advice on high-impact schemes that involve private sector or large development activities, especially as the process is often financed by the party receiving the advice. This risk also exists for the company, as some of the findings of the Panel may create public relations challenges. For these reasons, a Panel process should only be initiated with the approval of the Director General.

- **Risk of incompatible institutional cultures:** Collaboration between business, the public sector and civil society can highlight differences in how institutions approach specific challenges. Relationship development and trust building among these institutions should establish the precise nature of the problem, how best to assess its impacts and how to effectively evaluate options for mitigating those impacts. For example, business and academia may have very different ideas about how much time

and resources are needed for data collection, local consultation, decision making, monitoring, etc.

- **Risk of changing priorities from the contracting business or government agency.** Given that the Panel may require several months or years to fulfil its tasks, there is a risk that the contracting partners may

- Western Gray Whale Advisory Panel (ongoing);
- Yemen LNG Independent Review Panel (ongoing);
- IUCN/Holcim Independent Experts Panel (completed); and
- Independent Panel on Oil and G;

2.3 The IUCN Commission Chairs

The Chairs of IUCN's Commissions

4. THE PROCESS OF ESTABLISHING AND MANAGING AN ISTAP

The establishment and management of an ISTAP involve four phases:
1. assessing the need for an ISTAP;
2. designing the ISTAP;
3. convening the ISTAP; and
4. managing the ISTAP.

4.1 Assessing the need for an ISTAP
To help ensure that the Panel will deliver effective results, it is important to first assess whether a Panel is the appropriate mechanism to provide the necessary advice. This assessment can be broken down into three steps:

4.1.1 Confirm an ISTAP as the effective response to the conservation issue
The type of mechanism through which IUCN provides guidance or advice to a third party will depend on the scope, scale and co

determinant in deciding whether to proceed with the establishment of the Panel. If possible, a representative of the local IUCN membership should be identified to provide advice to the DG on the selection of the Panel Chair (section 4.3.3).

4.1.3 Assess the willingness of the contracting party to accept and act on the advice

Before setting up an ISTAP, the contracting party must be made fully aware of what the process entails. The contracting party will not be able to influence the outcomes of the Panel's deliberations, and the contracting party is expected to proactively and publicly respond to the advice given (including providing reasons for why the contracting party will not/cannot act on specific Panel recommendations). The contracting party should be willing to share relevant information and data, to facilitate field visits (and if necessary field surveys) in the area of its operation, and to not limit the Panel's engagement with particular stakeholder groups. The contracting party should be made aware that the deliberations of the ISTAP will be posted unaltered in the public domain. If a contracting party feels uncomfortable with any of those conditions, it should be advised not to proceed with an ISTAP.

4.2 Designing the ISTAP

The design phase should ensure clarity on what is expected from the Panel as a whole and of its members individually, and establish how the Panel will interact with IUCN. In the design phase, the Director General, assisted by the designated Project Manager, should:

4.2.1 Establish the ISTAP mandate with the contracting party and develop the ISTAP's draft Terms of Reference.

The TOR should include clear outputs and outcomes and a timeframe for the ISTAP. The TOR should also define what procedures will have to be put in place to ensure the transparency and independence of the Panel and specify a mechanism whereby changes in delivery and budget allocations can be agreed with the contracting party. In particular, the TOR should define what type of information the Panel requires access to, and what should be covered by a confidentiality agreement.

4.2.2 Establish the procedural rules for ISTAP membership, to comprise:
- avoidance of conflicts of interest before, during and after the Panel's work

- the applicability of IUCN's Code of Ethics;
- the Panel's meetings rules (including a decision on the application of *Chatham House rules* and the publication of minutes);
- public communications requirements, including the publication of the final

4.3.1 Developing the Terms of Reference (TOR) for the Chair position: Based on the specific Panel mandate as agreed with the contracting party and captured in the ISTAP's TOR, a detailed TOR for the Chair position should be developed. This TOR will include the Chair's role in selecting and managing the Panel members and his/her ultimate responsibility for delivering the outputs as defined in the Panel's mandate. Important skills to consider when developing the Chair's TOR include substantive expertise, management ability, leadership, good network, authority and profile, and excellent standing in the relevant communities. As the Panel Chair is a direct appointee of the Director General, the TOR must be approved by the DG before the position is advertised. At any point in the process, the DG can call upon the advice and input of any of the Commission Chairs.

4.3.2 Advertising the Chair position: The Chair's TOR should be made publicly available through IUCN's public website and to all Members and Commission members through the IUCN Union Portal. A call for nominations for a Panel Chair should also be posted on the IUCN website and in the Union Portal, and otherwise disseminated by the IUCN Commission Chairs. Commissions and Members should be encouraged to nominate relevant candidates.

4.3.3 Selecting the Chair: IUCN's Director General (or her/his nominee), the Chair of the IUCN Commission related to the field of enquiry of the Panel and one other senior member of staff from the IUCN Secretariat will select the Panel Chair. The selection should be communicated via IUCN's website. Where applicable, a representative of an IUCN Member from the relevant country/region should also be invited to the selection process.

4.3.4 Developing the TORs of the members of the Panel: In cooperation with the nominated Chair of the Panel, and consistent with the Panel's mandate, TORs for the Panel members' positions should be developed. Each TOR will reflect the contribution that each Panel member will bring to the discussion, in terms of science (biophysical, economic and social) and perspective.

4.3.5 Advertising the Panel members' positions: The Panel members' TORs should be made publicly available through IUCN's public website and circulated to all Members and Commission members through the Union portal.

4.3.6 Selecting the Panel members: The Panel Chair, together with the Director General, will lead

with a slightly higher honorarium for the Chair). Each member of the Panel should be informed about the applicability and contents of IUCN's Code of Ethics.

4.3.8 Publicizing the names of the Chair and the members of the Panel, once they have been contracted. The members' names, bios and TORs should be made public on IUCN's website.

4.3.9 Engaging with the Global Business and Biodiversity programme: Throughout the convening process, the Project Manager should engage with the Business and Biodiversity Programme (or, if the Project Manager is a GBBP staff member, with the Global Director, Nature-based Solutions Group),

5.2 During the lifetime of the Panel, the Chair may highlight the need to divert from the initially agreed work plan, if new evidence emerges that points to the need to address different issues or take a different course of action. In such a case, the Chair should, on the

- agreeing the action needed with the Project Manager and the Panel Chair (work order proposal);
- setting priorities for action (timeline) and scope (what to obtain, whom to involve, where to intervene);
- coordinating the investigation, field compliance audit and/or desk review of evidence (records and documents);
- delivering updated reports on the investigation; and
- providing feedback on analysis of the lessons learned.

8. COMPLIANCE WITH IUCN'S PROJECT GUIDELINES AND STANDARDS

8.1 The establishment of an ISTAP should be treated like a regular IUCN project and therefore developed in accordance with IUCN's [Project Guidelines and Standards](#) and, if relevant, the [Operational Guidelines for Private Sector Engagement](#).