

CASE 560/2019/KR: EU Ombudsman criticizes anti-conflict of interest ‘system’ of the Scientific Advisors Mechanism of Commission

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PAN Europe submitted a complaint to the Ombudsman in 2018 regarding the EU science advisory system (SAM). SAM (the Science Advisory Mechanism) of the Commission consists of a group of ‘chief scientific advisors’ and civil servants from Commission and is in return advised by experts proposed by SAPEA (SAPEA, Science Advise for Policy by European Academies, an umbrella group of national institutes on science). PAN Europe discovered that several experts that have been part of anti-regulation pressure groups or industry lobby groups (ILSI) managed to get nominated by SAPEA to advise SAM. Commission’s ‘conflict of interest’ system however failed to capture these experts. EU Commission services claimed that they’ve done an analysis of Declarations of interests-forms and done an internet survey to find conflicts of interest. This is a remarkable statement since PAN Europe could identify the conflicts of interest in a one-minute internet survey.

The Ombudsman took a very general and a bit a lazy look at the complaint and only checked if a “system’ was put in place by SAM of Declarations of Interest. Because there was a ‘system’, Ombudsman didn’t conclude to maladministration, but criticized,

1. The fact that financial revenues of experts below 10.000 Euro didn’t have to be recorded in the Declarations of interest, and
2. The fact that part of the experts (those working on “evidence review reports”) didn’t have to fill out Declarations of interests forms.

PAN Europe concludes that EU Commission (SAM, the science advisory mechanism) has a disfunctional conflict of interest policy and couldn’t stop several experts from anti-regulation pressure groups to be included in its SAM system that advised on a pesticide report in 2018. While SAM made a range of good recommendations in the 2018-report, it also asked for a re-examination of the ‘hazard approach’ (no exposure to humans for certain extremely toxic pesticides), a politically-agreed provision by the 27 EU member states and the Parliament ,that is attacked by industry and its free-trade allies for 10 years already.