

11th Meeting of the ICSU
Committee on Freedom and Responsibility in the conduct of Science CFRS
Hotel Atlantico
Rome, Italy
24-25 September 2011

Meeting Report

Present: Bengt Gustafsson (Chair), Ashima Anand, Carol Corillon, Alexander Kaminskii, Peter Mahaffy, Sylvia Rumball, Akilagpa Sawyerr, John Sulston, Ovid Tzeng, David Vaux, Moisés Wasserman, Menahem Yaari, Jiansheng Zhang

ICSU Secretariat: Roger Pfister, Carthage Smith (*ex officio*, day 1 only)

Apologies for absence: Fatma Attia, Maurice Tchuente (*ex officio*)

Guest: Yuan Tseh Lee (ICSU President-Elect, on afternoon of day 1)

1. Welcoming remarks and introduction

The CFRS Chair welcomed Menahem Yaari as a new member of CFRS, replacing R Arnon, whose contribution to CFRS's work during the last six years was valued highly. The ICSU Executive Board agreed on Professor Yaari's appointment in May. Among his many scientific and academic engagements, M Yaari has been the President of the Israel Academy of Sciences and Humanities from 2004 to 2010 and is a founding member of the International Scientific Council of the Israeli-Palestinian Science Organization (IPSO).

Following the meeting, CFRS met on 26 September with members of the Commission on Research Ethics and Bioethics of the Italian National Research Council (CNR) and the Research Unit on Bioethics, Research Ethics and Law at the Institute for International Legal Studies (ISGI). The Annex to this report summarises the discussions.

Decision

- to welcome M Yaari as a new member of CFRS;
- to thank R Arnon for her contribution to CFRS's work during 2006-2011;
- to thank the CNR Commission on Research Ethics and Bioethics for their invitation.

2. Adoption of agenda

Members were reminded that while the meeting report would be made public, the meeting documents are strictly confidential.

Decisions

- to adopt the agenda;
- to note that meeting documents are strictly confidential.

3. Report of the 10th CFRS meeting and matters arising

The Committee took note of the report of the previous CFRS meeting held in Berne. All issues that arose from that meeting would be dealt with during the current meeting.

Decision

To note the meeting report.

4. ICSU Statements and CFRS Advisory Notes**4.1 ICSU Statement on Gene Patenting**

The ICSU Statement on Gene Patenting, revised by J Sulston and C Smith following the CFRS's Berne meeting and incorporating comments by CFRS members was reviewed and approved. It was then to be submitted to the ICSU Executive Board for consideration at its meeting on 25 September.

Decision

To note the finalised version of the Statement on Gene Patenting.

4.2 CFRS Advisory Note "Sharing scientific data, with a focus on developing countries"

Based on the committee's co-sponsoring of the International Symposium "The Case for International Sharing of Scientific Data: A Focus on Developing Countries" in Washington in April 2011, CFRS considered a first draft Advisory Note on the subject at its previous meeting. Members made additional comments in a subsequent consultation, during which the ICSU Committee on Data for Science and Technology (CODATA) and World Data System (WDS) also commented.

Both CODATA and WDS endorsed unreservedly the final version prior to the CFRS's current meeting, at which the committee also approved it. Thus, it is a joint Advisory Note of the three ICSU bodies. Furthermore, because the Advisory Note is of relevance to developing countries, the Secretariat was asked to send it to the ICSU Regional Offices for their comments.

Decisions

- to approve the Advisory Note;
- to welcome the endorsement of the Advisory Note by CODATA and WDS;
- to circulate the Advisory Note to the ICSU Regional Offices for their comments.

4.3 CFRS Advisory Note "Bias in science publishing"

The Advisory Note on the subject, drafted by D Vaux and introduced at the previous CFRS meeting, proposes that double-blind peer review processes, among other measures, could reduce publication/author bias. Robert 'Bob' Campbell, President at Wiley-Blackwell Publishing and Chair of the Publishing Research Consortium (PRC), provided advice and comments at the Berne meeting. D Vaux integrated the points raised during the ensuing discussion and circulated the revised Advisory Note among CFRS members after the meeting.

The Chair expressed his appreciation for D Vaux's work, inviting CFRS to provide final comments. Apart from asking to clarify the adjectives used to describe bias, the Advisory Note was endorsed without changes. The Secretariat was asked to make the final version available on the ICSU website and invite comments on the CFRS blog. It was also suggested to organise a CFRS workshop on this issue, to which editors, reviewers and other stakeholders would be invited.

Decision

- to approve the Advisory Note;
- the Secretariat to make the Advisory Note available on the ICSU website with a blog facility.

4.4 University ranking systems

O Tzeng introduced the issue of university ranking systems and argued that the introduction of multiple ranking systems around the globe has, to some extent, promoted research and improved its quality at universities. However, it has encouraged questionable practices, as universities try to obtain better scores from the ranking organisations. This problem prompted UNESCO to hold a meeting on the issue and the OECD also expressed concern about these developments. The subject could be of potential interest to CFRS. This situation has implications for freedom and responsibility in science and research integrity that are similar to those CFRS addressed in its Advisory Note on “Bias in science publishing”.

For CFRS to become further involved in this area, more scoping of the issues at stake is needed. O Tzeng agreed to continue his investigations and correspondence with universities and report to the committee at the next meeting.

Decision

- to note the information provided;
- O Tzeng to pursue the matter and report at the next CFRS meeting.

4.5 CFRS Advisory Note “Access to genetic resources and the sharing of benefits arising from their utilisation (ABS System)”

Immediately following their last meeting, CFRS members took part in and contributed to a workshop organised in partnership with the Swiss Academy of Sciences (SCNAT) on the Access and Benefit Sharing (ABS) system. This entailed aspects of both freedom and responsibility related to the work of scientists with genetic resources, and therefore was relevant to CFRS. The ABS team at the SCNAT had drafted an Advisory Note on the subject. In discussions at the meeting, CFRS members asked for a number of important changes, namely to establish the link with CFRS’s work by including a reference to ICSU’s Statute 5, to clarify the nexus between non-commercial and commercial research, and to give more prominence to the responsibilities of scientists in the ABS system. The presentations at the ABS workshop and discussions between presenters and CFRS members confirmed these points. The moderator of the workshop’s concluding session, P Mahaffy, succinctly summarised the relevant aspects needing integration into the Advisory Note. Based on these comments, R Pfister, together with the SCNAT’s ABS team, revised the document and circulated it among CFRS members and presenters for their comments.

The committee noted with satisfaction the revisions and approved the Advisory Note unanimously. Members pointed out that it was crucial to implement the document’s recommendations in those geographic areas where countries are providers of genetic resources. In addition to making the Advisory Note available on the ICSU website, along with a blog facility, the Secretariat was asked actively to promote it through the ICSU Regional Offices.

Decision

- to approve the Advisory Note;
- the Secretariat to make the Advisory Note available on the ICSU website with a blog facility;
- the Secretariat to promote the Advisory Note among the ICSU Regional Offices.

5. Workshops and conferences

5.1 Science Communication (2010, Bogotá, Colombia)

M Wasserman informed the committee about progress on the publication of the proceedings from the International Forum “Science communication” that CFRS had co-sponsored with the National University of Colombia in Bogotá in November 2010. The volume was to be made available printed in both English and Spanish with 250 copies, and in electronic form to facili-

tate dissemination, and posted on the ICSU website. The document should be available before the end of 2011.

Decisions

- to thank M Wasserman for his commitment to producing the publication;
- to note the progress made in drafting the publication.

5.2 Private Sector – Academia Interactions (2011, Sigtuna, Sweden)

Since the Berne meeting, the programme on this workshop, to be held near Stockholm, had been further developed and the CFRS Chair provided committee members with updates. The final version that lists some 50 participants would be sent to CFRS members shortly.

Since an Advisory Note by CFRS was planned as an outcome of the workshop, members suggested that speakers be informed about the background and purpose of the event, including the Principle of Universality of Science, which would help to focus the discussion. In this context, it was also proposed that the advisory note should identify the major issues at stake in this area and that some of these might be included in CFRS's future work plan. CFRS members also suggested to give Intellectual Property Rights (IPR) more prominence in the programme and that the unique situation in Africa be specifically considered.

The CFRS Chair asked committee members to confirm their participation at the workshop as soon as possible.

Decisions

- to note the progress in developing the workshop programme;
- CFRS members to confirm their participation at the workshop.

5.3 Science and Policy Advice (2012, Denmark)

This workshop, organised by the Royal Danish Academy of Sciences and Letters, was planned for the second half of 2012, with the climate change issue serving as an example of science advice to policy. While this example of science-policy relationship is of interest to the wider ICSU community, the freedom and responsibility aspects need clarification for CFRS to maintain its involvement in this particular workshop.

In briefing members about progress made, the CFRS Chair confirmed that the focus will be on climate change and that funding was expected, although the exact date was still pending to enable the participation of the EU Commissioner for Climate Action, Connie Hedegaard from Denmark. The programme-planning phase would continue as soon as the date was fixed.

The CFRS Chair would provide members with more details at the next meeting.

Decisions

- to note the workshop update;
- to ask the CFRS Chair to provide a progress report at the next meeting.

5.4 Science and Pseudo-Science (2012, Norway)

Progress on this workshop, planned by the Norwegian Academy of Science and Letters, was slow. It was still considered realistic to hold it during 2012, but for CFRS to maintain its interest, it would be important to have more details about the scope of the event.

The CFRS Chair informed members that the title of the workshop had changed, yet again, to "Science and pseudo-science." To move forward, a discussion with Norwegian colleagues on

“Can we rely on science?” was scheduled for 9-10 November 2011. The CFRS Chair would provide members with more details at the next meeting.

Decision

- to note the workshop update;
- the CFRS Chair to provide a progress report at the next meeting.

5.5 3rd World Conference on Research Integrity (2013)

Following CFRS’s reiteration in Berne of its interest in being involved in organising the third World Conference on Research Integrity (WCRI), C Smith proposed D Vaux to the conference organisers as a member of the organising committee. CFRS was informed that the 3rd WCRI would be held in Montreal on 5-8 May 2013. As D Vaux will no longer be a member of the committee at that stage, continuing liaison would be important to ensure that the ICSU perspective is included in the programme, namely to look at research integrity from an institutional and science system viewpoint.

Decisions

- to note that D Vaux is proposed to serve on the organising committee for the 3rd WCRI;
- to note the date and venue for the 3rd WCRI;
- to retain CFRS’s interest in co-organising the 3rd WCRI.

5.6 Science in Contemporary Wars

A recently published article on the subject by the CFRS Chair had been made available on the ICSU website’s “Freedom and Responsibility Portal”. The Chair reported his strong interest in pursuing this workshop, for which funding was being sought from the Dag Hammarskjöld Foundation and the Pugwash Group. He planned to meet with both organisations in October. O Tzeng said that funding could be available from China: Taipei, in particular if the meeting was held there.

As soon as funding is clarified, an organising committee will be formed. The CFRS Chair will continue his involvement and brief members about progress on this workshop.

Decisions

- to note the workshop update;
- the CFRS Chair to provide a progress report at the next meeting.

6. Future CFRS membership

The terms of several CFRS members, who had been serving for six years, would end in 2012, whereas all other members could be considered for renewal, although it was emphasised that renewal was not automatic. While the ICSU Executive Board will make the final decision on new membership, CFRS was invited to feed into this process. C Smith thus asked all members to try to identify good potential nominees to serve on the committee and offered to talk to members individually during the ICSU General Assembly. The identification of the new committee chair would be critical. ICSU, in the coming weeks, would make an open call for nominations from its National Members and Unions.

CFRS reaffirmed that the scientific disciplines represented should be broadened to include the social sciences and humanities – such as science-society studies, science communication and science education – and that each geographical region should be represented and a gender balance should be maintained.

Decision

- to ask all CFRS members to propose candidates;
- C Smith to speak to CFRS members about their personal situations and possible candidates.

7. Future CFRS meeting

The initial idea had been that one of the bi-annual CFRS meetings would take place at ICSU Headquarters in Paris. Because the last meeting in Paris has been in November 2009, it was agreed to meet in Paris next time, which will be the final meeting for the committee in its present composition. It was suggested that this meeting be linked to a meeting with the ICSU National Member in France, the Académie des sciences, and particularly its ethics committee, the Comité Science, éthique et société. Alternatively, a meeting might be sought with UNESCO, particularly its World Commission on the Ethics of Scientific Knowledge and Technology (COMEST).

5-7 March 2012 was provisionally decided upon as the date for the two meetings, although a Doodle survey would be made to explore an alternative date in April or May. The March date was definitively confirmed subsequent to the meeting.

Decision

- to note that the next meeting would take place in Paris;
- to note 5-7 March 2012 for the CFRS meeting and a reunion with the ICSU National Member in France or UNESCO COMEST;

8. CFRS work plan, 2012-2014

The CFRS Chair would present both CFRS's achievements for 2009-11 and work plan for 2012-14 to the ICSU General Assembly on 29 September 2011. R Pfister reviewed the progress report 2009-11, adding information on the results of the activities proposed in 2008. The progress report served as the basis for the work plan for CFRS's next term, leaving room for new initiatives by the incoming Chair and members. Information was adapted where necessary and appropriate, and was subsequently circulated to the CFRS Chair and S Rumball for comments and then to all CFRS members for their feedback.

The committee formally approved the progress report and work plan. Suggestions were made on the presentation to be made by the CFRS Chair at the General Assembly.

Decisions

- to approve the Progress Report for 2009-2011;
- to approve the Work Plan for 2012-2014;
- to note the CFRS Chair's presentation to the ICSU General Assembly.

9. Freedom of science issues**9.1 Generic issue: scientific autonomy and academic freedom**

At its last meeting, CFRS considered reports about the politicisation of science in several countries around the globe. Despite the variety of implications, the encroachment upon academic freedom and scientific autonomy were shared issues. As this was counter to the Principle of Universality of Science, CFRS asked C Smith, C Corillon, P Mahaffy and A Sawyerr to develop ideas for a broader initiative dealing with generic issues related to academic freedom and scientific autonomy. Regarding the situation at universities, preliminary contacts with the Association of Commonwealth Universities (ACU) indicated interest in working with

CFRS to organise a workshop or series of workshops on the matter. While CFRS acknowledged that action in this area was important, further scoping and discussions were necessary before committing to actions.

CFRS also discussed a statement issued by the Board of the American Association for the Advancement of Science (AAAS) in June 2011 regarding personal attacks on scientists involved in climate change research. This response to a growing number of personal threats and attacks against researchers worldwide reflected the AAAS's concern about the impact of these attacks on climate research as well as the future scientific workforce. The statement, widely covered in the print and electronic media, was directly relevant to ICSU's Statute 5 and CFRS's mandate. ICSU published a related statement in February 2010, and the issue was raised in the session "Integrity in the Climate-Change Debate" at the 2nd WCRI in Singapore, which involved scientists associated with several of ICSU's Global Environmental Change Programmes. CFRS shared the concern by AAAS and it was decided to inform them about the planned "Science and Policy Advice" workshop in Denmark, once the timing and focus of this was clear (agenda item 5.3).

Decisions

- to note that it was important to take CFRS action related to generic issues curtailing scientific autonomy and academic freedom;
- to share the concern expressed in the AAAS statement regarding threats and attacks against climate change researchers;
- to inform AAAS about the planned "Science and Policy Advice" workshop with climate issues at focus in Denmark, once the agenda and timing for this was clearer.

9.2 Generic issue: independence and freedom of academies

9.2.1 United Kingdom

In an agreement reached in July 2011, the UK Border Agency (UKBA) involved British academic bodies in vetting visas of foreign scientists who want to work in the UK. This focussed on a new 'Tier 1' category work visas for up to 1,000 non-European Union immigrants per year with "exceptional talent." Rather than judging the qualifications of work visa applicants themselves, UKBA has asked the Royal Society (300), the Arts Council England (300), the Royal Academy of Engineering (200) and the British Academy (200) to make nominations. According to a statement by the Royal Society's President, the government had "confirmed in writing that the Society will be fully indemnified against legal challenge by applicants" and "that its costs in acting as a competent body for assessing Tier 1 applicants will be fully met" by the government. The statement also indicated that "Council does not support the new immigration policy, but this arrangement seemed the best way to protect the interests of science in the UK", while the Royal Society had "reserved the right to pull out of Tier 1 if these other aspects of the overall policy are not working properly."

CFRS discussed this matter because it raised important issues in relation to the Principle of Universality of Science, including the pros and cons of academies taking on this sort of role, and measures that could be taken to ensure their independence. J Sulston, in his capacity as a Fellow of the Royal Society, confirmed that the Royal Society did not agree with and was worried about this arrangement, but that the introduction of Tier 1, a fast-track system to bring excellent scientists into the UK, was seen as being to the advantage of Britain's academic landscape. Furthermore, the Royal Society foresaw an exit strategy, if the arrangement does not work properly. CFRS agreed that the scheme was problematic, not least because the limitation of the number of scientists allowed to work in the UK was in conflict with the Universality of Science Principle. To support the position taken by the ICSU National Member in this case, it was decided that the CFRS Chair and C Smith would write to the Royal Society to express both CFRS's interest and support as well as to ask that it monitor the impact of this arrangement and subsequently provide more information to CFRS. As a

separate line of action, but for comparative purposes, the Secretariat was asked to investigate immigration rules applicable to scientists in other countries.

9.2.2 Turkey

On 27 August 2011, the Turkish Government had decreed new procedures deciding on the membership and the presidency of the Turkish Academy of Sciences (TÜBA). These were introduced without consultation with, or prior information to, the academic community, parliament or the Academy. The decree specified: appointment of 1/3 each of the Academy's members by government, by the Higher Education Council (an administrative body that funds universities) and by the Academy itself. The government would also appoint the Academy's president. In a statement, TÜBA expressed its "utmost concern" about this development, because the current Turkish Government was in effect assuming powers over the Academy's business. The Academy's members threatened to resign en masse. Although TÜBA is not a member of ICSU, developments in Turkey's policy toward science organisations concerned ICSU and CFRS. The Scientific and Technological Research Council of Turkey (TÜBİTAK) had withdrawn as a full National Member of ICSU earlier in the year, taking an observer status. ICSU President-Elect Yuan Tseh Lee, to become president in a matter of days, emphasised that Turkey needs an autonomous and free academy. CFRS agreed to ask Professor Lee and the CFRS Chair to write to the Turkish Government, i.e. the President, the Prime Minister and the Minister of National Education, to express their concern about the situation, to emphasise the significance of free academies and to ask for information about future plans. A copy of this communication would subsequently be sent to TÜBA.

Decisions

- United Kingdom:

- the CFRS Chair and C Smith to write to the Royal Society, expressing their interest and support as well as to ask them to monitor the situation;
- the Secretariat to investigate immigration rules applicable to scientists in other countries;

- Turkey:

- the ICSU President and CFRS Chair to write to the Turkish Government to express concern about the nationalisation of TÜBA, to emphasise the significance of free academies and to ask for information about future plans related to science and scientists.

9.3 Individual cases: update on past cases

9.3.1 UNESCO-Obiang Nguema Mbasogo International Prize for Research in the Life Sciences

CFRS had written to UNESCO, urging it not to award the prize. The UNESCO Executive Board subsequently decided to "indefinitely suspend" it. Just prior to its current meeting, CFRS learnt that Congo-Brazzaville and Côte d'Ivoire, on behalf of the African Group at UNESCO, proposed that UNESCO's Executive Board reconsider its decision at a meeting to be held during the week of 26 September. The context of this development is that Equatorial Guinea's President Obiang became chair of the African Union (AU) in February 2011. CFRS confirmed its position against awarding the prize and agreed to communicate its view immediately in writing to UNESCO;

9.3.2 L'Aquila

In April 2009, an earthquake devastated the Italian city of L'Aquila, killing more than 300 people and injuring thousands more. A panel comprising three members of the country's Civil Protection Agency, three seismologists and one physicist was tasked with assessing the risks after more than 400 low-level tremors had rattled the Abruzzi region in the months prior to the earthquake. After a meeting on 31 March of that year, the commission issued a reassuring statement, while also saying that it was not possible to predict whether a stronger quake would occur. They also recommended stricter enforcement of anti-seismic measures, particularly in building construction. In June 2010, the public prosecutor announced it would charge the seven with manslaughter. Prosecutors allege the defendants gave a falsely reas-

suring statement, accusing the seven of “negligence and imprudence (...) of having provided an approximate, generic and ineffective assessment of seismic activity risks as well as incomplete, imprecise and contradictory information.” The defendants faced up to 15 years in jail. Lawyers for civil plaintiffs, who include the local council, were seeking damages of 50 million Euros. Although the trial began on 20 September 2011 in L’Aquila, it was adjourned until 1 October. The case had attracted the attention of the scientific community. Notably, the International Union of Geodesy and Geophysics (IUGG) issued a statement in June 2010, drawing on ICSU’s Principle of Universality of Science, asserting “no scientist (...) should be prosecuted for having expressed a scientific opinion based on available knowledge” and condemning “unacceptable political and judicial interference into scientific issues.”

CFRS discussed the case in Singapore in July 2010, noting that it was complicated by apparently inaccurate communication of the panel’s advice at the time of the earthquake and that the case raised a number of generic issues regarding scientific advice and science for policy. In conclusion, CFRS expressed its support for the IUGG statement. At the current meeting, CFRS decided to support the scientific community in this matter by again underlining the validity of the original IUGG statement and by specifically referring to the CFRS Advisory Note on Science Communication, which covered some issues that were relevant in this case. In the context of the forthcoming ICSU General Assembly, it issued the following communication:

At its meeting on 24 September 2011, the ICSU Committee on Freedom and Responsibility in the conduct of Science (CFRS) discussed issues surrounding the indictment of scientists for their role in advising the population prior to the devastating April 2009 earthquake in L’Aquila, Italy. CFRS reiterated its support for the statement issued by the International Union of Geodesy and Geophysics (IUGG). The committee noted that this case exemplifies the complexity of issues relevant for all of ICSU related to the free and responsible practice of science. These include:

- *The threat to the free practice of science posed by indictment of scientists for expressing scientific opinions based on available knowledge about extreme natural catastrophic events, which is inherently limited;*
- *The responsibility for scientists to improve communication with the public and policy makers about complex topics such as earth system processes;*
- *The responsibility for those communicating science to address both the nature and perception of risk.*

CFRS’s discussions of this case were placed in the context of much more extensive consideration of freedom and responsibility issues related to science communication at the CFRS meeting and workshop in Bogotá in November 2010, and we refer ICSU to the CFRS Advisory Note on Science Communication issued following the workshop.

9.3.3 IUPAC 11th Eurasia Conference, Jordan

CFRS decided at its previous meeting to seek further clarification about the lack of Israeli scientific representation among the more than 100 invited speakers at this conference, which took place in October 2010 in Jordan. P Mahaffy and the CFRS Chair were asked to enquire with IUPAC whether Israeli scholars had been invited and, if so, whether there had been any interest among the Israeli invitees to participate. The Chair agreed to communicate the written inquiry, prepared by P Mahaffy to the President of the International Union of Pure and Applied Chemistry (IUPAC), Nicole Moreau, during the forthcoming ICSU General Assembly.

9.3.4 Jameel Zayeed, Israel

CFRS dealt with the case of this Cambridge PhD student, who had been prevented from entering Israel in 2009, at three previous meetings. In Berne, it examined information provided by the Israel Academy of Sciences and Humanities, which was based on their inquiry to the relevant authorities, according to whom the entry denial had been “based solely on the

judgement of the security bodies.” Considering this general reference to security issues as insufficient, the committee insisted on its need for more specific information. To that end, the CFRS Chair wrote to the President of the Israel Academy by e-mail. In her response, R Arnon explained that in spite of all efforts, they had been unable “to receive any details from the security authorities, except for the statement that the refusal of Mr Zayeed’s entry into Israel was based solely on considerations related to security.” M Yaari agreed to look into the possibility of engaging NGOs in this issue and provide the CFRS Chair and the Secretariat any information he could obtain.

9.3.5 Javad Rahighi, Iran

CFRS examined the case of this Iranian physicist at two previous meetings. J Rahighi unsuccessfully tried to challenge the visa denials imposed on him by the European Union (EU) since 2008. The EU claimed that he had links with Iran’s atomic energy programme. CFRS’s contact with the International Union of Pure and Applied Physics (IUPAP) did not result in any additional information. After contact with a scholar involved in the establishment of the SESAME Project in Jordan, where J Rahighi has worked previously, and having noted documents that would indicate a possible case of mistaken identity, the Secretariat pursued the case. CFRS contacted the SESAME Directorship to enquire whether they had taken any action. With regard to a possible intervention to de-list J Rahighi from the EU and UN sanctions lists, CFRS consulted a Swiss expert in international law. Based on the documentation that CFRS made available, this expert reported the case did not appear to be one of mistaken identity and that the appearance of J Rahighi’s name on the sanctions lists appeared to be related to his presumed activities as a scientist. Accordingly, J Rahighi would have to prove reliably that his research was not in any way related to the development of nuclear weapons. The legal scholar further noted that the sanctions list procedures are highly problematic from a human rights perspective, because they do not allow for an appeal to an independent court. This situation has been criticised repeatedly by the legal community, but to no avail. CFRS decided to inform J Rahighi of these comments and propose that he write to the EU and UN authorities, challenging their allegations that his work was related or linked to the Iranian atomic programme. Furthermore, the Secretariat would explore how this UN sanctions system works and report at the next meeting.

9.3.6 Maksim Popov, Uzbekistan

This psychologist and executive director of an NGO dedicated to educating the public about how to protect against and curb the spread of HIV/AIDS was arrested in early 2009. Charged with embezzlement of funds received from international donors, with no evidence apparently being produced, he was sentenced to seven years in prison in mid-2010. After the Berne meeting, the Secretariat wrote to the Uzbekistan Academy of Sciences, the ICSU National Member with Observer status, and the International Union of Psychological Science (IUPsyS) to obtain more information. Although approached twice on this matter, the Uzbek Academy did not respond. IUPsyS was not aware of this case and could not assist further, as Uzbekistan is not a member of IUPsyS. Considering this situation unsatisfactory, CFRS asked the Secretariat to raise the issue again directly with the National Member in Uzbekistan, as they had a certain obligation to respond to queries emanating from ICSU.

Decisions

- *UNESCO-Obiang Nguema Mbasogo International Prize for Research in the Life Sciences*: the Chair to write to UNESCO and reiterate CFRS’s request not to award the prize;
- *L’Aquila*: to confirm its support for the IUGG statement on the case and point out the importance of the responsibilities of scientists when communicating their findings;
- *IUPAC 11th Eurasia Conference, Jordan*: to note the CFRS correspondence with the IUPAC President;
- *J Zayeed, Israel*: to note the correspondence with the Israel Academy of Sciences and Humanities and to ask M Yaari to try engaging NGOs in this case;

- *J Rahighi, Iran*: to note the update on this case and ask the Secretariat, in consultation with the CFRS Chair and C Corillon, to inform J Rahighi accordingly as well as to ask the Secretariat to explore how the UN sanctions system works;
- *M Popov, Uzbekistan*: the Secretariat to raise again the issue directly with the ICSU National Member in Uzbekistan.

9.4 Individual cases: new cases

9.4.1 Omid Kokabee, Massoud Ali Mohammadi, Fereydoon Abbasi and Majid Shahriari, Iran
These four cases were grouped together because they concerned physicists from and/or in Iran, although the personal situation of O Kokabee differed significantly from that of the three other scientists.

The 29-year old Iranian *Omid Kokabee*, enrolled as a doctoral student at the University of Texas at Austin, has been detained in his home country since February 2011. After studies in Iran and Spain, O Kokabee began to pursue a PhD programme at the University of Texas in August 2010, serving as a teaching assistant during the first semester. Although only a PhD student, he has already published three articles in *Optics Letters* and one in *Optics Express*. During the university's winter break, he visited his family in Iran. In February 2011, O Kokabee was arrested at the airport as he was preparing to return to the US and was subsequently charged with "communicating with a hostile government" and "illegitimate earnings." His trial was postponed in July. While the allegation of communicating with a "hostile government" appears to relate to the US, it is assumed that the "illegitimate earnings" probably refer to the compensation O Kokabee received for his teaching assistantship, which is part of the university's regular support package provided to all first-year US and international doctoral students. The President of the International Commission for Optics (ICO), an ICSU Scientific Associate and an Affiliated Commission of IUPAP, brought the case of O Kokabee to CFRS's attention. The ICO, along with the European Optical Society (EOS), the Optical Society of America (OSA) and the International Society for Optics and Photonics (SPIE), sent a letter of appeal for O Kokabee to Iran's Supreme Leader, Ayatollah Ali Khamene'i, through Iran's ambassador to the UN.

At the previous CFRS meeting, C Corillon was asked to follow-up on three cases of physicists in Iran and to report at the current meeting. These cases involved *MA Mohammadi*, *F Abbasi* and *M Shahriari*.

- MA Mohammadi, professor of elementary particle physics at Tehran University and Iran's representative to the SESAME Project, was assassinated in January 2010 by a remote-controlled bomb that was detonated at his home as he was getting into his car to go to work. According to unconfirmed sources, he was one of the few professors who stood up to the university's administration and defended his students against attack, and he was one of more than 400 academics to sign a statement in favour of Mir-Hossein Mousavi, who ran against President Ahmadinejad in the June 2009 elections. Following the judicial investigation, a one-day trial in August 2011 resulted in Ali Jamali Fashi's conviction and the imposition of a death sentence for MA Mohammadi's assassination. He had reportedly confessed to having been recruited by Israel's national intelligence agency Mossad and recounted a rather far-fetched scenario, which one journalist referred to as having "the smell of embellishment and propaganda by the Iranian regime";
- F Abbasi, a nuclear physicist at Shahid Beheshti University, was injured on 29 November 2010 while driving to work when assailants on a motorcycle reportedly pulled alongside his car and attached a magnetised bomb that they detonated moments later. Upon his recovery, in February 2011, President Ahmadinejad appointed F Abbasi as one of Iran's Vice Presidents and head of the Atomic Energy Organization of Iran (AEOI), which controls the country's nuclear programme;
- Also on 29 November, M Shahriari, who also taught at Shahid Beheshti University, was assassinated in a separate bomb attack organised in a manner similar to that against F Abbasi. Later that same day, President Ahmadinejad accused Israel and Western gov-

ernments of involvement in the assassination. The then head of the AEOL, Ali Akbar Salehi, reportedly said that M Shahriari had been involved in a major AEOL project. In reaction to the attacks on F Abbasi and M Shahriari, Iran's Intelligence Minister announced on 2 December the arrest of a number of people in connection with the "terrorist attack", but did not give specifics.

CFRS discussed these four cases, expressing concern about the difficult situation physicists from and/or in Iran seemingly find themselves in because of the government's atomic programme. Due to the uncertainty and non-transparency regarding the actual circumstances in all these cases, the committee asked the Chair to write to ICSU's National Member in Iran to express CFRS's concern, to ask for the member's views and to obtain additional information.

9.4.2 Bahá'í community leaders, Iran

This case concerned the continued imprisonment, since 2008, of seven leaders of the Iranian Bahá'í community, four of whom are scientists: Fariba Kamalabadi (psychologist), Mahvash Sabet (psychologist), Vahid Tizfahm (optometrist), Saeid Rezaie (engineer), Jamaloddin Khanjani, Afif Naeimi and Behrouz Tavakkoli. They represent the Bahá'í ad hoc national co-ordinating group, Friends in Iran, responsible for the community's religious and administrative affairs. Their arrest, charges and conviction appear to be motivated by their being members and leaders of the Bahá'í faith, as various international sources, including the UN Working Group on Arbitrary Detention (WGAD), have suggested. These four scientists taught young Bahá'í, which is illegal, but the primary motivation for their arrests appears to be their roles as leaders of the Bahá'í group. Because this type of case involving freedom of religion is new to the CFRS, the committee decided to discuss the issue in more detail and a possible CFRS position at the next meeting.

9.4.3 Adlène Hicheur, France

This French-Algerian particle physicist has been held in preventive detention in a French prison on suspicion of conspiring with an Algerian branch of al-Qaeda, but without charges or trial, since October 2009. After earning a Master degree and a PhD at French universities, he did post-doctoral work in England on an experiment that was part of the Large Hadron Collider (LHC) project at the Geneva-based European Organisation for Nuclear Research (CERN). During 2006, he joined the Laboratory for High Energy Physics at the Swiss Federal Institute of Technology in Lausanne (EPFL), again working on an LHC experiment. In the fall of 2010, the Swiss government closed its investigation into the case, saying it had found no evidence of wrongdoing. In France, the human rights committee of the Academy of Sciences, the Comité de Défense des Hommes de Science (CODHOS), has sent letters to the French Minister of Justice and to the Minister of Interior asking that A Hicheur either be brought to trial or released. In discussing this case, CFRS members asked the Secretariat to obtain further information by following up on the Swiss investigation, to contact CERN/EPFL, and to consult on further action with the CFRS Chair.

9.4.4 Health professionals, Bahrain, Libya, Syria and Yemen

During recent protests in several countries in North Africa and in the Middle East, including Bahrain, Libya, Syria and Yemen, security forces have targeted health care professionals who treated the injured. There have been credible reports of security forces shooting at, threatening and arresting doctors and nurses, thus violating the concept of medical neutrality, which aims at ensuring that health professionals can provide health care to those in need, regardless of the patients' political, religious or ethnic affiliations. The concept is grounded in international humanitarian and human rights law as well as in the codes and ethics of the medical profession. In the discussion at the meeting, CFRS was uncertain as to whether it should take action with reference to ICSU's Statute 5. For clarification, the CFRS Chair proposed to establish informal contact with a representative of the Swedish Red Cross and C Corillon would write to a member of the International Committee of the Red Cross (ICRC). They would present their findings at the next CFRS meeting.

9.4.5 Xue Feng, China; Saidqul Ashurov, Uzbekistan; Valentin Danilov, Russia

Common to these cases was that these scientists have been subjected to restrictive measures because they were working for businesses. Although not immediately relevant for action under ICSU's Statute 5, this was an interesting tendency with a generic interest to CFRS, since economic and financial interest of universities will most likely increase in the future:

- X Feng, a naturalised US citizen and University of Chicago PhD in geology was arrested in China, his country of origin, in 2007. He had purchased a commercial database on the country's oil resources for his employer, the Colorado-based IHS Inc. CFRS had considered this case at its previous meeting, but decided not to take any specific action because the case did not appear to be closely related to the conduct of science. Yet, given its generic interest in scientists being subject to restrictive measures because of their work for private business, CFRS nevertheless asked C Corillon to continue to monitor this case and report on relevant developments;
- S Ashurov was detained in March 2011, accused of revealing state secrets, tried by a closed military court and sentenced to 12 years in prison for espionage. He has worked as Chief Metallurgist for Oxus Gold plc., a British gold mining company, the only one publicly listed with primary operations inside Uzbekistan. CFRS asked the Secretariat to obtain more information by writing to ICSU's National Member in Uzbekistan;
- V Danilov, a Russian physicist, was head of the Thermo-Physics Centre at Krasnoyarsk State Technical University at the time of his arrest in February 2001, charged of treason and fraud for allegedly selling "state secrets" to a Chinese company and scientific institute, and allegedly embezzling part of the project funds. A jury acquitted him of all charges in 2003. Following a successful appeal by the prosecution, the retrial in November 2004 reportedly failed to meet international fair trial standards, and V Danilov was found guilty of passing "state secrets" to China and of embezzling funds. The final outcome of the case is still pending, both in Russia and before the European Court of Human Rights, where V Danilov filed a complaint. The CFRS Chair, in consultation with A Sawyerr and the Secretariat, was asked to write a letter to the Russian authorities, with a copy to the Russian Academy of Science, to express the committee's concerns about the case. The letter should also ask that V Danilov be granted a parole for having served two-thirds of his sentence, for his good conduct, and for humanitarian reasons because he is 60 years old, his health has deteriorated during the last 8½ years, he had a heart attack in prison and continues to suffer heart ailments and dental problems.

9.4.6 Fredy Peccerelli, Guatemala

As a founding member and executive director of the Guatemalan Forensic Anthropology Foundation (FAFG), F Peccerelli's profession is to gather evidence to document human rights atrocities in his country, exhuming and identifying human remains, and returning them to their families for proper burial. He and other FAFG staff members with their families have received multiple death threats and have been subjected to serious acts of intimidation. This was especially the case while conducting exhumations in rural areas and following FAFG testimony about science-based evidence obtained during exhumations in criminal cases. Having considered the situation of F Peccerelli at its 4th and 5th meeting, CFRS brought it to the attention of the Academy of Sciences in Guatemala and the ICSU Regional Committee for Latin America and the Caribbean. In August this year, F Peccerelli and his sister were again exposed to such instances of intimidation. In response to a request from the Inter-American Commission on Human Rights, an autonomous organ of the Organization of American States (OAS), Guatemalan authorities ordered 24-hour police protection for F Peccerelli, but coverage remained intermittent. M Wasserman confirmed concerns after discussing this case with the president of the ICSU National Member in Guatemala, who was in Rome for the ICSU General Assembly. CFRS therefore decided to ask the Chair to express their concern in a letter to the Guatemalan Government, with copy to the ICSU National Member.

Decisions

- *O Kokabee, MA Mohammadi, F Abbasi and M Shahriari, Iran*: the CFRS Chair to write to the ICSU National Member for their views and to obtain additional information;
- *Bahá'í community leaders, Iran*: to collect more information and consider this case at a later CFRS meeting;
- *A Hicheur, France*: the Secretariat to obtain further information from the Swiss government and CERN/EPFL, and then consult the CFRS Chair on further action;
- *Health professionals, Bahrain, Libya, Syria and Yemen*: the CFRS Chair to establish informal contact with a representative of the Swedish Red Cross and C Corillon to write to a member of the ICRC;
- *X Feng, China; S Ashurov, Uzbekistan; V Danilov, Russia*:
 - X Feng: C Corillon to follow this case and report relevant developments;
 - S Ashurov: the Secretariat to obtain more information from the ICSU National Member in Uzbekistan;
 - V Danilov: the CFRS Chair, in consultation with A Sawyerr and the Secretariat, to write a letter to the Russian authorities, with a copy to the Russian Academy of Science, expressing the committee's concerns and requesting parole;
- *F Peccerelli, Guatemala*: the CFRS Chair to write a letter of concern to the Guatemalan Government, with a copy to the ICSU National Member.

9.5 The role of CFRS in individual and generic cases

As requested at the previous meeting, the Secretariat had revised the description of the CFRS's role in addressing human rights abuses of scientists by including details regarding the source(s), criteria for case selection and potential action. In the discussion, it was decided that C Corillon, P Mahaffy and A Sawyerr would further clarify parts of the document for its eventual publication on the ICSU website as part of the "Freedom & Responsibility Portal" under "Science & human rights".

Decisions

- to note the document;
- C Corillon, P Mahaffy and A Sawyerr to provide further input to the document.

9.6 Advice to organisers of scientific meetings

ICSU's "Blue Book", issued in 1998,¹ contained guidelines to organisers of scientific meetings. These guidelines had subsequently been updated and posted on the ICSU website as a separate document. The Secretariat had recently updated and amended the document again, with the aim of again making it available on the new ICSU website, in the "Freedom & Responsibility Portal".

In considering the document, CFRS members asked the Secretariat to revise further the guidelines, with the assistance of A Sawyerr and P Mahaffy, and, in particular, to incorporate the notion of ICSU's Statute 5 and adapting the headings to more appropriately reflect its contents.

Decision

The Secretariat to revise the guidelines, with the assistance of A Sawyerr and P Mahaffy.

9.7 Compendium of human rights instruments

At its previous meeting, CFRS considered the revised compendium of human rights instruments from multilateral and regional political bodies, complemented by an introductory text by Jessica Wyndham, Senior Project Director at the AAAS Science and Human Rights Pro-

¹ The booklet's full title was *Universality of Science: Handbook of ICSU's Standing Committee on Freedom in the Conduct of Science, with Advice to Organizers of International Scientific Meetings*.

gram, on the pertinence of these legal documents and their relevance to CFRS's work. This material, the latter part being slightly reworded, has been made available on the ICSU website in the "Freedom & Responsibility Portal" and has been added to the CFRS Blog for comments.

Decision

To note the online publication of the compendium of human rights instruments with introductory text.

10. CFRS section on the ICSU website

The CFRS section on the ICSU website has been further improved and additional information has been made available since the meeting in May. A "Freedom and Responsibility Portal" has been added to the ICSU website. To promote ICSU's Universality of Science Principle, the Portal contains relevant documentation on different aspects of freedom and responsibility in the conduct of science, put together under the following headings:

- *CFRS workshops & conferences*: information (programme, synopsis, etc.) on workshops and conferences sponsored or co-sponsored by CFRS;
- *Science & human rights*: currently the compendium of multilateral human rights documents relevant to the work of CFRS. The document on the committee's role in individual and generic cases (agenda item 9.5) will be added;
- *Meetings: advice to organisers*: the guidelines for organisers of scientific meetings (agenda item 9.6) will be added upon completion of the revision process;
- *US visa information*: documents on ICSU's concerns about US visa regulations hampering the free movement of scientists and a link to the US National Academies' International Visitors Office website where scientists wishing to attend scientific meetings in the United States, or scientists who encounter visa difficulties, can turn for assistance;
- *Articles & letters*: articles by representatives of ICSU bodies published in scientific publications and letters addressed to the ICSU Membership.

The blog facility has been put in place, allowing comments on CFRS Advisory Notes and other aspects of its work. Monitoring of comments would be possible, following a further software update, scheduled before the end of 2011.

Noting the substantial progress made during an online demonstration, CFRS members asked the Secretariat to add links to organisations/bodies with a task similar to that of ICSU CFRS, to demonstrate the availability of statistical data concerning access to the website as well as to introduce an RSS feed.

Action required

- to note the improved and finalised CFRS section and the "Freedom & Responsibility Portal" on the ICSU website;
- to ask the Secretariat to add links to other relevant organisations/bodies, to establish statistical data on access, and to introduce an RSS feed.

11. Study on SCFCS/CFRS

In Berne, Ms Eleanor Wittmer (ETH Zurich) described the scope of her MA thesis on CFRS and its predecessors. The study has progressed since, and CFRS members were shown an outline agreed upon by Ms Wittmer and her supervisor. The thesis would commence with a chapter on the formation of ICSU, followed by an introduction of the Standing Committee on Freedom in the Conduct of Science (SCFCS), the predecessor to CFRS. Thereafter, the committee's role over the decades would be examined, presenting examples of its particular

role in resolving individual cases. The study would also discuss, more generally, the development and evolution of knowledge and the perception of science over time.

CFRS members noted with satisfaction the progress made and asked the Secretariat to ensure their involvement by providing comments to the study. The CFRS Chair further suggested that Ms Wittmer should contact Olof Tandberg, the former committee's Executive Secretary from 1972 to 1996.

Decision

- to note the progress made with the study;
- the Secretariat to update CFRS on further progress and to maintain CFRS's involvement.

12. Interaction with other academy institutions

13.1 All European Academies ALLEA

The CFRS Chair participated in the meeting of the ALLEA Standing Committee of Science and Ethics on 14-15 June 2011 to present CFRS and its activities, and to explore potential cooperation. In his brief to CFRS, he informed members that the ALLEA Executive Director would attend the CFRS workshop "Private Sector – Academia interactions" (agenda item 5.2) and make a presentation. Further, it was agreed that the Royal Danish Academy of Sciences and Letters should be asked to coordinate the CFRS workshop "Science and Policy Advice" (agenda item 5.3) with the work and plans of ALLEA.

Decision

To note the information provided by the Chair.

13.2 World Science Forum, 16-19 November 2011

The biennial World Science Forum (WSF), organised by the Hungarian Academy of Sciences in co-operation with ICSU, among others, will include a session on ICSU's Foresight. Several CFRS members received invitations to participate, but the committee decided it would not participate in the ICSU Foresight session.

Decision

To note that CFRS would not participate in the ICSU Foresight session at the WSF.

13.3 AAAS: Science and Human Rights Program

Informed by Article 15 of the International Covenant on Economic, Social, and Cultural Rights (ICESCR), which recognises the right of everyone to "benefit from the protection of the moral and material interests resulting from any scientific, literary or artistic production of which he [or she] is the author," the AAAS Science and Human Rights Program (agenda item 9.7) has initiated a process of defining more precisely this right to enjoy the benefits of scientific progress. At the national level, a focus group with US-based scientific and engineering associations participating had defined this right within their disciplines and identified barriers to its realisation. The programme coordinator, Jessica Wyndham, has contacted the Secretariat concerning a possible CFRS engagement to extend this process globally.

Having considered the relevant AAAS questionnaire, it was decided that the CFRS Chair would provide general feedback to the AAAS coordinator, especially regarding the focus of the questionnaire and what it attempts to achieve.

Decisions

- to note the AAAS questionnaire;

- to ask the CFRS Chair to provide the AAAS coordinator with feedback.

13. Any other business

With reference to the 3rd WCRI discussed earlier at the meeting (agenda item 5.5), A Kamin-skii emphasised that it would be important to obtain comments from ICSU Union Members to feed into the preparatory process through D Vaux.

Decision

To consult ICSU Union Members for the preparation of the 3rd WCRI.

Annex

Meeting between ICSU CFRS and CNR Commission on Research Ethics and Bioethics

Members of the ICSU Committee on Freedom and Responsibility in the conduct of Science (CFRS)² met with representatives of the Commission on Research Ethics and Bioethics of the Italian National Research Council (CNR) and the Research Unit on Bioethics, Research Ethics and Law at the Institute for International Legal Studies (ISGI) on 26 September.

The CNR is the largest public research institution in Italy. Representing the country in international non-governmental science organisations, it is ICSU's National Member and acted as the organiser of the 30th ICSU General Assembly. Its Commission on Research Ethics and Bioethics, assisted by research done at the ISGI unit, supports and advises the CNR President on the social role, potential and opportunities for science and technology; researchers' individual freedom and responsibility, as well as possible limits of their action; moral dilemmas raised by specific research activities; deontological and bio-juridical aspects included in the general concept of research integrity; and other relevant issues.

Since its formation a couple of years ago, the CNR Commission has been promoting the concept of research integrity, notably by raising awareness and capacity building measures among Italy's scientific community. CNR therefore participates in the European Science Foundation's (ESF) Membership Organisation (MO) Forum on "Research Integrity" and in the European Network of Research Integrity Officers (ENRIO). It hosted the 4th ESF MO meeting in November 2010.

In the discussion on issues of common interest to both CNR and CFRS, it was noted that Italy, with the assistance of the CNR Commission, could serve as a trial ground for CFRS's engagement in promoting research integrity. Further, the possibility of a joint CNR-CFRS workshop on neuroethics, another field of activity of the CNR Commission, could be considered. The CFRS Chair asked the CNR Commission to inform the committee of plans so they can be discussed at a future CFRS meeting.

² Bengt Gustafsson, Ashima Anand, Carol Corillon, Sylvia Rumball, Ovid Tzeng and David Vaux, as well as Roger Pfister from the Secretariat.