



Inter-American Institute for
Cooperation on Agriculture

Policy for the Management of Conflicts of Interest at IICA

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1. FOREWORD

The Inter-American Institute for Cooperation on Agriculture (IICA) believes that decisions must be taken and adopted based on the principles of integrity, ethics, accountability, transparency and impartiality, and that the interests of its member countries and the Institute itself must always take precedence over individual interests. For this reason, the Director General of IICA has established clear guidelines for the management of situations that could be construed or considered to be a conflict of interest between staff members, interns, consultants, counterparts, associate personnel, strategic partners and suppliers.

All staff members have the duty, commitment and responsibility to report on any real or potential conflict of interest that could influence decision-making related to the Institute's operations. To this end, staff members must observe the provisions established herein.

2. REGULATORY FRAMEWORK

This Policy is based on the regulatory principles established in the Convention on IICA; the rules of procedure and mandates of IICA's governing bodies; as well as the following:

- a. Articles 10, 19 and 21 through 32 of the Rules of Procedure of the General Directorate, which establish rules for situations that could be considered real or potential conflicts of interest;
- b. Rules 3.3 to 3.10 of the Staff Rules, which describe how to identify, follow up on and resolve real or potential conflicts of interest;
- c. Rule 2.9.3 of the Personnel Manual, which states that "IICA may not hire, on a temporary basis or for an indefinite period or as a consultant, the spouse, children or any other member of the immediate family (relatives of the first degree) of any staff member"; and
- d. Specific prohibitions set out in the Procedures Manual for the Procurement of Goods and Services.

The procurement of goods and services as well as the provision of technical services by the Institute must abide by the present Policy as well as all applicable provisions set out in the Anti-fraud Policy, the Policy for the Prevention of Money Laundering and Financing of Terrorism, the Code of Ethics, the Personnel Manual and the Procedures Manual for the Procurement of Goods and Services, particularly those regarding prohibitions that apply to suppliers and staff members who participate in the procurement of goods and services.

3. APPLICABILITY

This Policy applies to all individuals who are directly tied to IICA, including staff members, consultants, interns, suppliers, associate personnel, counterparts and strategic partners,

among others, in all Member States and at Headquarters, with whom the Institute cooperates as part of its mission to stimulate, promote and support the efforts of its Member States to achieve agricultural development and rural well-being through international technical cooperation of excellence.

4. PURPOSE

To ensure that the personal and/or institutional interests of individuals to whom this Policy applies do not interfere with the performance of their duties, as well as ensure that, in carrying out their duties, staff members will not gain any personal, professional or political benefits to the detriment of the Institute and its member countries.

5. DEFINITIONS

Conflict of interest: any situation in which direct or indirect personal or private interests could influence or appear to influence the judgment or behavior of an IICA staff member or personnel from any counterpart institution with which the Institute collaborates, to the detriment of IICA's interests.

A conflict of interest may be:

- a. **Real:** a situation that creates a conflict that effectively hampers the staff member's ability to make objective or transparent decisions in carrying out his/ her duties and responsibilities.
- b. **Potential:** a situation that could arise as a result of the staff member's position or personal or professional circumstances, which could affect his ability to make an objective or transparent decision.
- c. **Perceived:** a situation in which a staff member's private interests could be perceived as having undue influence on the performance of his/ her duties. Although this may not turn out to be the case, the situation could generate suspicion and damage the staff member's or the Institute's reputation within the framework of an operational or technical activity.

Consultant: an individual or legal entity that provides a service, conducts specialized or technical activities or studies, and generates specific products within a set timeframe, based on the agreed-upon Terms of Reference; consultants do not have an employment relationship with the Institute.

Staff member: national and international personnel who work at IICA Headquarters or IICA Delegations in the Member States.

Intern: an individual who carries out a temporary, supervised internship and who does not have an employment relationship with IICA. Includes all of the modalities established in all applicable institutional rules and regulations.

Associate personnel: a staff member designated as such by the Director General of the Institute, in accordance with all applicable IICA rules and regulations.

Supplier: individual or legal entity that provides goods or services to the Institute.

Partner/counterpart: a third party with which IICA has established an agreement, contract or other legal instrument to carry out operational activities or deliver technical cooperation services in IICA Member States or at Headquarters.

The definitions of any other terms not included in this section will be those established in the corresponding institutional rules and regulations.

6. PROCEDURE IN THE EVENT OF A POSSIBLE CONFLICT OF INTEREST

- a. Potential conflicts of interest should be identified and disclosed as soon as they are detected, either by the individual who is directly involved or by others. If the problem is identified before the individual assumes the commitment or takes any questionable action, prior to exposing it publicly, all viable options should be explored to resolve the situation. Conflicts of interest should be declared, using the form attached to this Policy (Annex A).
- b. The matter or the report about the matter should be submitted to the Office of the Deputy Director General and the Human Talent Division (gth@iica.int), or to the person's immediate supervisor, the Representative in the relevant country or to the director of the corresponding area.
- c. The evaluation of the potential conflict of interest is the responsibility of the Ethics Committee, which will assess the situation and submit an opinion to the Director General, who will then determine how to proceed, in keeping with institutional regulations.
- d. The following actions will be considered a serious offense: an employee or counterpart not disclosing a conflict of interest; making a declaration with false information or completely or partially skewed information and making a declaration that leads to an error in judgement at the time that the risks associated with the situation are being evaluated. The Director General will take a decision in keeping with institutional regulations.

7. GENERAL INFORMATION

- a. Adherence to this Policy is mandatory for all individuals or legal entities to whom or which it applies.
- b. All individuals or legal entities to whom or which this Policy applies must inform the relevant IICA authority in writing regarding any real or perceived conflict of interest that may arise.

- c. All individuals or legal entities to whom or which this Policy applies should avoid or resolve any real, potential or perceived conflict of interest, for example, by refraining from taking decisions in which a conflict of interest exists, as well as by openly disclosing each and every potential or real conflict of interest that may arise as a result of the individual's or entity's relationship with IICA.
- d. This Policy applies in situations in which conflicts of interest may arise due to activities undertaken or decisions taken by the individuals mentioned in number 3 and which relate to IICA's legitimate pecuniary or financial interests, as well as due to situations that hinder the aforementioned individuals' ability to freely make decisions or take actions in the interest of the Institute, as defined in section 5.
- e. This Policy is not seeking to forbid relationships between the entity and any third party related to its governing bodies, employees or other individuals or groups linked to the organization, whose interests may coincide with the undertaking of any joint activity (duality of interest rather than a conflict of interest). However, this Policy stipulates that, in the event that any of the abovementioned situations arise, the party is obligated to bring this to the attention of the competent authorities, and if it is determined that a conflict of interest does exist, the Institute will take the most appropriate decision.

8. RESPONSIBILITIES

Implementation of and compliance with this Policy is the responsibility of all members and employees of the Institute. Directors and managers of IICA have the responsibility of ensuring that all persons related to the activities of the Institute are aware of the content of the Policy and agree to adhere to it.

9. COMPLAINTS

IICA possesses two means of receiving and addressing complaints, in order to enable persons to report and channel their reports and complaints in a confidential manner, in keeping with the matters outlined in the present Policy:

- a. The official Website: iica.int, SECTION on REPORTS/COMPLAINTSDENUNCIAS and
- b. Electronic mail ec.ce@iica.int

All reporting, complaints, investigations, written reports and information relating to the matter in question shall be examined and analyzed by the Ethics Committee of the Institute, which shall determine how to proceed and what disciplinary measures and corresponding action should be taken.

10. PUBLICATION

This Policy will be available in the Knowledge Repository on the Institute's official website, as well as on the Institute's Intranet site.

11. REVIEW AND ADJUSTMENTS

The Director General, at the recommendation of the Ethics Committee and the Institutional Regulations Advisory Team (IRAT), will update the content of this Policy, to ensure that the Institute's activities adhere to the highest ethical standards.

Any doubts, queries or requests for clarification regarding this Policy should be directed to the Legal Secretariat of the IRAT: unidad.juridica@iica.int.

12. VALIDITY

This Policy will enter into force on the date that is announced by the Director General.



ANNEX A

Real, Potential or Perceived Conflict of Interest Declaration Form

1. Full name of person making this declaration:

2. Relationship to IICA (employee, counterpart, associate staff, provider, etc.):

3. Detailed description of the situation, event or reason why you believe a conflict of interest exists or may exist:

If you require additional space, you may use the back of this form.

4. Approximate date when you became aware of the situation outlined above, in point 3.

5. Indicate if you are making this declaration on behalf of yourself or in your capacity as the legal representative of a legal entity.

On my own behalf: _____

As the representative of a legal entity: _____

In the event of the latter, please indicate:

The complete name of the legal entity: _____

Identification number of the legal entity: _____

Date: _____ **Signature:** _____