

# DIPLOMATS WITHOUT BORDERS

## Conflict-of-Interest Policy

### 1. Preamble

- (a) Diplomats Without Borders (DWB) recognizes that in order to serve the public interest and fulfil its mission it: (1) must involve diverse stakeholders, interests, and perspectives; (2) promote transparency, accountability, and integrity and build public trust; (3) engender a culture that is sensitive to actual or perceived Conflicts of Interest (COI) and is intolerant of misuse of position; and (4) addresses COI by institutionalizing a COI policy and associated procedures.
- (b) This COI Policy and its associated procedures provide guidance for identifying and addressing actual, potential, and/or perceived COI. It defines potential areas of concern, imposes a duty to disclose conflicts, and outlines procedures for managing these conflicts as they arise. The COI policy is intended to promote the goals of fairness, accountability, and transparency and increase public confidence in DWB's activities by applying high standards of ethical conduct. By establishing a comprehensive COI policy and procedures, DWB, its board members, employees and other stakeholders will benefit from the transparent and effective management of all COI.

### 2. COI Policy

- (a) DWB is committed to manage and mitigate COI pertaining to its board members, experts, and employees.
- (b) The policy is in effect as of the date of the legal registration of DWB. Changes may be introduced in fulfillment of any legal requirements by the host country.

### 3. Guiding Principles: DWB will be guided by the following core principles:

- (a) DWB's paramount goal is to serve the public interest.
- (b) DWB's activities aim to promote the transparency, accountability, and integrity of DWB.
- (c) Building public trust is a keystone of good governance.
- (d) DWB fosters a culture that is sensitive to COI, whether actual, potential, or perceived, and is intolerant of misuse of position.
- (e) COI issues are managed through formal policies and procedures.

### 3. Definitions

- (a) Within the context of DWB, a COI occurs when a board member, member or employee is involved in a decision-making process on matters in which he/she has a personal interest or judges that there is potential conflict of interest between his/her personal interests and the issues or potential actions under consideration. The nature of their interest must be declared in advance for necessary action. This also applies to their use of their position to

advance the interests of an institution with which he or she is affiliated or the interests of a family member or close associate; or to act in a way that disadvantages other board members, members or employees, clients, beneficiaries, or the wider public.

- (b) COI include potential and perceived COI. A potential COI occurs when a member or employee has the capacity to use his or her position or status in such a way that a COI, as defined above, might occur. A perceived COI occurs when a person believes or suspects that a board member, a member, or an employee has a COI, as defined above.
- (c) A close associate of a person includes a family member (spouse, child, sibling, parent, cousin, or relative by marriage), friend, business partner, or professional associate.
- (d) A person is affiliated with an institution when he or she is an employee or a volunteer or has a financial interest or technical or governance role in that institution.
- (e) Recusal occurs when persons remove themselves from participation in actions, deliberations and decision making when a COI would arise through such involvement.
- (f) The COI might arise in the context of receipt or giving of gifts, which are defined as including favors, gratuities, sponsorships, whether of a monetary or intangible nature.
- (g) COI can occur during but are not limited to the following processes:
  - Selection of client organizations or parties.
  - Assessment, monitoring, and oversight of DWB activities.
  - Renewal requests from a client or party.
  - Un-reported remuneration by a client or party.
  - Discussions of matters in which DWB members or employees have a financial or other interest, such as procurement, contracting, or staff recruitment

#### **4. Application of the COI Policy**

- (a) The COI policy applies to DWB's board, members, and employees.
- (b) DWB will ensure that the board, members, and employees undergo training in their responsibilities regarding COI and the requirements of the COI policy. The Board is responsible for identifying and resolving any COI issues (e.g., deliberate nondisclosure of a COI among board, members, or employees).
- (c) If in doubt as to whether an actual or potential conflict of interest exists, the person in doubt must consult the Executive Committee (EC).
- (d) As appropriate and required, ad hoc COI committees may be established to resolve COI-related matters.
- (e) The Chair of the board will document the management of COI issues and archive these documents.

#### **5. Procedures to Mitigate COI**

- (a) All members and employees must have completed the Acceptance of COI Policy when they become members or begin employment and disclose any actual or perceived COI then. These statements will form part of the records of DWB.

- (b) Any member may raise questions about a potential COI prior to or during a meeting. Members may present an allegation of COI to the EC.
- (c) Whether inside or outside a meeting, members with a COI will not attempt to exert their personal influence with respect to any topic related to that COI.
- (d) Gifts and Favors
  - (1) Members and employees are prohibited from accepting gifts valued over 50 Euros under circumstances in which it could reasonably be construed that the gift is motivated by their position as a DWB member or employee and could substantially affect the decisions of DWB, clients or parties.
  - (2) Members and employees are prohibited from giving gifts if it could be reasonably construed that the gifts are intended to affect the policies or practices of DWB.
- (e) Failure to Disclose a COI
  - (1) If the board learns that a member or employee has been accused of knowingly failing to disclose a COI, the board will examine the accusation and take all reasonable measures to revoke any benefit gained if this was the case. Before taking such action, the Board chair will inform the member or employee in writing of the COI issue and provide the member or employee with the opportunity to explain the alleged failure to disclose the COI.
  - (2) The Board chair will refer all available information regarding the COI to the EC to determine whether a COI exists. If a COI is deemed to exist, the EC will formulate a recommendation to be submitted to the board of directors regarding appropriate action to be taken with respect to the individual(s) concerned.
  - (3) The board of directors will consider and vote on such recommendations at the first meeting following receipt of the recommendations.
  - (4) Following the board's vote, the circumstances of the member's or employee's failure to disclose the COI could result in disciplinary action in accordance with the provisions of the DWB Statute.
- (f) Documenting COI
  - (1) All decisions associated with COI will be recorded in the minutes of the relevant board meeting and appropriately archived. The record must state the nature and extent of the COI, a summary of the discussions pertaining to the COI, and the actions taken to address the alleged COI.
- (g) Periodic Review of COI Policy and Procedures
  - (1) The COI policy and procedures will be reviewed periodically or as the need arises in a manner that is consistent with DWB's review of other governance documents or earlier as needed.