



Inter-American Institute for
Cooperation on Agriculture



Policy on Prohibited Practices

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ARTICLE I. INTRODUCTION

1. The Inter-American Institute for Cooperation on Agriculture (IICA or the Institute) is the specialized agency for agriculture of the Inter-American System that supports the efforts of its Member States to achieve agricultural development and rural well-being.

IICA encourages, promotes and supports the mobilization of available knowledge in the region and around the world, with the aim of achieving a competitive, inclusive and sustainable agriculture sector.

2. IICA maintains a zero-tolerance policy toward Prohibited Practices and is strongly committed to preventing and combating Prohibited Practices. IICA expects individuals and entities involved in the Institute's scope of work to observe the highest standards of integrity, to refrain from directly or indirectly condoning, encouraging, participating in or engaging in Prohibited Practices and to take measures, where and when appropriate, to prevent and combat Prohibited Practices in all IICA-related activities.
3. IICA shall take all reasonable steps to ensure that all resources and assets entrusted to it are managed with the highest levels of integrity, and to the fullest extent possible, free from prohibited practices.
4. IICA recognizes established international practices and policies with respect to the prohibition of Prohibited Practices, and particularly the principles in the United Nations Convention against Corruption and other instruments related thereto.

ARTICLE II. PURPOSE

5. The purpose of this Policy on Prohibited Practices (Policy) is to establish the specific conduct and activities which are prohibited by IICA, the obligations of Covered Individuals and Counterparties to uphold the highest standards of integrity and to refrain from Prohibited Practices, and the actions which IICA may take when prohibited practices are alleged to have occurred in IICA-related Activities.

ARTICLE III. DEFINITIONS

6. For the purposes of this Policy, the following terms shall have the meaning set out below:
 - a. **"Policy for PML/FT"** means IICA's Policy for the Prevention of Money Laundering and Financing of Terrorism;

- b. **“Conflict of interest”** means any situation in which a party or any staff involved in the relevant decision-making process has interests that could, or could be perceived to, improperly influence the performance of official duties or responsibilities, contractual obligations, or compliance with applicable laws and regulations;
- c. **“Counterparty”** means any party that contributes to, executes, implements, bids for, or in any way participates in IICA’s Activities;
- d. **“Prohibited Practices”** mean any of the following practices in relation to IICA-related Activities:
 - i. **“Corruption”** or **“Corrupt practice”** means the promise, offering, giving, receiving, or soliciting, directly or indirectly, of anything of value (including but not limited to gifts, gratuities, entertainment, favors, invitations, and benefits of any kind), or any undue advantage, as well as any act or omission that involves the abuse of authority or functions, for the purpose of influencing or causing to improperly influence the actions of another party, or for the purpose of obtaining an undue advantage for oneself or for another party;
 - ii. **“Fraud”** or **“Fraudulent practice”** means any act or omission, including misrepresentation or concealing material fact, that knowingly or recklessly misleads, or attempts to mislead a party for the purpose of obtaining a financial or other undue advantage for oneself or for a third party, or to avoid an obligation;
 - iii. **“Coercion”** or **“Coercive practice”** means the impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of the party for the purpose of improperly influencing the actions of a party;
 - iv. **“Collusion”** or **“Collusive practice”** means an arrangement between two or more parties designed to achieve an improper purpose, including for the purpose of improperly influencing the actions of another party;
 - v. **“Obstructive practice”** includes: deliberately destroying, falsifying, altering, concealing, or unreasonably withholding evidence or other requested information, documents or records, which are material to an IICA investigation; making false statements to investigators in order to materially impede an IICA investigation; threatening, harassing, or intimidating any party to prevent it from disclosing its knowledge of matters relevant to an IICA

investigation or from pursuing an IICA investigation; or materially impeding IICA's contractual rights of audit or access to information;

- vi. **"Abuse"** means theft, misappropriation, waste or improper use of property or assets related to an IICA-related Activity, either committed intentionally or through reckless disregard;
- vii. **"Money Laundering"** is, as clearly defined in the Policy for the Prevention of Money Laundering and Financing of Terrorism of the Institute, the process by which assets that are obtained or generated through criminal activities are transferred or disguised in such a way as to make such assets appear to be derived from a legitimate source, whether by exchanging, transferring, managing, selling or encumbering the money, without necessarily having participated in the criminal activity that generated the illegal assets.
- viii. **"Retaliation against Whistleblowers or Witnesses"** means any detrimental act, direct or indirect, recommended, threatened or taken against a Whistleblower or Witness (as defined in IICA's policy), or person associated with a Whistleblower or Witness, because of his or her report of suspected Wrongdoing or cooperation with an IICA investigation;
- ix. **"Financing of Terrorism"** or **"Terrorist Financing"** is defined as the commission of any offence as set out in the Policy for the Prevention of Money Laundering and Financing of Terrorism of the Institute;
- x. **"Wrongdoing"** means conduct that violates IICA's policies or that involves significant risk to the Institute, because it is harmful to its interests, reputation, operations or governance. Wrongdoing includes but is not limited to Misconduct, Prohibited Practices and Conflicts of Interest.

ARTICLE IV. SCOPE

This Policy shall apply to:

- a. The conduct of all Covered Individuals in connection with IICA-related Activities; and
- b. The conduct or practices of any Counterparty in connection with IICA-related Activities, and where applicable, in accordance with the terms of any legal agreement or contract concluded between the Counterparty and the Institute.

ARTICLE V. GUIDING PRINCIPLES

7. IICA maintains a zero-tolerance policy of Prohibited Practices.
8. Covered Individuals and Counterparties shall maintain the highest level of integrity, accountability and efficiency, refrain from directly or indirectly condoning, encouraging, participating or engaging in Prohibited Practices in any IICA-related Activity and take action to deter, mitigate and/or correct Conflicts of Interest.
9. Any report of suspected Wrongdoing shall be made promptly to the established channel, indicated on IICA's website:

<http://apps.iica.int/transparenciaiica/public/Reporte?LG=en>

10. IICA shall take proactive measures, including proactive integrity reviews, to ensure that Prohibited Practices are prevented in IICA-related Activities and shall investigate reports of suspected Prohibited Practices to determine the veracity of the report and to recommend disciplinary/corrective or mitigation measures. IICA may impose administrative sanctions or disciplinary/corrective measures, as appropriate, against any person or entity that violates this Policy.

ARTICLE VI. OBLIGATIONS OF COVERED INDIVIDUALS

11. All Covered Individuals shall refrain from directly or indirectly condoning, encouraging, participating in or engaging in Prohibited Practices. Covered Individuals have a responsibility to avoid situations and activities that might reflect adversely on IICA, compromise its operations, or lead to real or perceived Conflicts of Interest, as established in the Human Resources Legal Framework, relevant contractual agreement, or applicable ethics and conflicts of interest policy.
12. Covered Individuals shall not encourage any person or entity to violate this Policy.
13. As provided for in the Policy on the Protection of Whistleblowers and Witnesses and other relevant IICA policies and procedures, Covered Individuals shall report suspected Wrongdoing in relation to any IICA-related Activity.

ARTICLE VII. OBLIGATIONS OF COUNTERPARTIES

14. In any IICA-related Activity, Counterparties shall maintain the highest levels of integrity, accountability and efficiency, refrain from directly or indirectly condoning, encouraging, participating or engaging in Prohibited Practices, and shall take action to deter, mitigate and correct Conflicts of Interest.

ARTICLE VIII. ACTIONS TO BE TAKEN BY IICA IN CASES OF PROHIBITED PRACTICES

15. Any disciplinary measures or administrative sanctions to be imposed on IICA's Personnel shall be determined and enforced according to applicable laws and IICA's relevant regulations.
16. The Ethics Committee shall investigate reports of suspected Wrongdoing regarding Counterparties, in accordance with IICA's investigative standards and procedures and shall report its findings and recommendations to the Director General and the Internal Audit Unit.

ARTICLE IX. POLICY ADMINISTRATION, MONITORING, REPORTING AND REVIEW OF THE POLICY ON PROHIBITED PRACTICES

17. The Ethics Committee shall be responsible for the implementation of this Policy. It shall collaborate with the Director General to advise and ensure the effective implementation of the policy, including regular engagement and communication within the scope of the Policy.
18. The Ethics Committee shall implement this Policy, by obtaining appropriate contractual protections and ensuring that obligations of Counterparties stipulated in the Policy are provided for in its legal agreements/arrangements with Covered Individuals and Counterparties, and by assessing, reviewing, monitoring and reporting the compliance of Covered Individuals and Counterparties to this Policy.
19. The Ethics Committee shall proactively monitor and review the implementation of this Policy.

ARTICLE XIII. EFFECTIVE DATE

20. This Policy shall come into effect upon the approval of the Director General.