

January 2023



**Food and Agriculture
Organization of the
United Nations**



**International Treaty
on Plant Genetic Resources
for Food and Agriculture**

**INTERNATIONAL TREATY ON PLANT GENETIC RESOURCES
FOR FOOD AND AGRICULTURE**

**SIXTH MEETING OF THE STANDING COMMITTEE ON THE
FUNDING STRATEGY AND RESOURCE MOBILIZATION**

17 – 18 January 2023

**POLICY ON CONFLICTS OF INTEREST AND RELATED
STANDARDS OF CONDUCT FOR THE BENEFIT-SHARING FUND**

At its Eighth Session, the Governing Body adopted the new Funding Strategy of the International Treaty through Resolution 3/2019 which contains the Operations Manual for the Benefit-sharing Fund, in its Annex 2. Paragraph 34 d of the Operations Manual gives responsibility for the approval of Benefit-sharing Fund pre-proposals to the Standing Committee on the Funding Strategy and Resource Mobilisation (the Funding Committee) in accordance with the Policy of Conflicts of Interest.

This document contains *the Policy on Conflict of Interest and Related Standards of Conduct for the Benefit-sharing Fund* which was adopted by the Fifth Session of the Governing Body, through Resolution 2/2013. This policy applies to Members of the Funding Committee in undertaking their role of approving pre-proposals that will develop project proposals within the Benefit-sharing Fund.

A. COVERAGE

1. This policy applies to any member of intergovernmental or expert bodies involved in the screening of pre-proposals or the appraisal or approval for funding of project proposals by the Benefit-sharing Fund.

2. It is the responsibility of each individual covered by this policy to observe its terms. Individuals who are covered by this policy will normally be notified of this, but if any individual is in doubt as to its application to her or him, she or he should verify with the Secretary. Any individual or institution not covered by this policy that considers there may be an actual or potential conflict with any pre-proposal or proposals should refer such case to the Secretary. The Secretary will inform the Chair or Co-Chairs of the relevant intergovernmental or expert body.

3. Partners and other institutions involved in the operations of the Benefit-sharing Fund and its project cycle should avoid entering into cases of conflict of interest when structuring the partnership with the Fund and making their contributions to the project cycle. They should acknowledge at all times that the Benefit-sharing Fund is under the direct control of the Governing Body.

B. GENERAL PROCEDURE

When a conflict arises

4. This policy relies on each individual to consider whether she or he may have, or be perceived to have, any actual or potential conflict with any proposal that is being considered by the Benefit-sharing Fund.

5. Examples of a conflict of interest are:

- To be actively involved in the future execution of the project, in particular as part of the project staff or team;
- To be employed by the same institution as the applicant institution or its partners in the project implementation;
- To work closely with the applicant institution or its partners in the project implementation, for example as a co-author or PhD Supervisor, or to have worked closely in the last 4 years;
- To hold a current position on the governing body of or an honorary position with the applicant institution or its partners in the project implementation;
- To receive personal remuneration from the applicant or its partners in the project implementation;
- To entertain personal/family relationship with any of the project staff or team.

6. The above list of examples is not exhaustive. These are only intended as examples and not as a complete or exhaustive list. Conflict situations may include situations beyond those indicated above that an individual is required to declare under this policy;

7. In considering whether a conflict arises, an individual should treat the interests of anyone with whom the person subject to this policy has a significant personal relationship as if they were the individual's own interests. This will include any partner, anyone living in the same home and anyone whose financial affairs the individual has responsibility for;

General procedure for managing conflicts

8. If an individual has an actual or potential conflict of interest in any pre-proposal or proposal that is being considered by the Benefit-sharing Fund:

- (1) the individual should disclose the conflict to the Secretary in writing;

- (2) the individual must abstain from any decisions relating to that pre-proposal or proposal. In particular:
- (a) she or he shall not be involved in the process of screening of the pre-proposal, appraisal or approval of a project proposal;
 - (b) she or he shall not receive any documentation relating to that pre-proposal or project proposal;
 - (c) she or he shall not take part in any decisions taken in relation to such a pre-proposal or proposal; and,
 - (d) she or he shall abstain from the relevant part of any meeting where the pre-proposal or proposal is considered;
 - (e) she or he shall be replaced by another representative from the Region, whenever possible.

9. All individuals serving under any capacity in the process of screening the pre-proposals, appraisal or approval of project proposals, are required to facilitate the management of any potential or actual conflict of interest, as the Secretary may require. Any dispute about whether a conflict may exist may be referred to the Chair of the Governing Body for a decision or, in the case of disputes relating to a Chair of the Governing Body in that capacity, to one of the Vice-Chairs of the Governing Body.

Policy for funding in relation to members of intergovernmental or expert bodies

10. The following policy for funding of the activities of members of decision-making committees shall apply:

- (1) Members of intergovernmental or expert bodies may continue to hold any funding they hold from the Benefit-sharing Fund at the time of appointment.
- (2) Members of intergovernmental or expert bodies involved in a new round of the project cycle shall abstain from applying for new funding under such round.

C. CODE OF CONDUCT

Advice on pre-proposals and proposals

11. Members of intergovernmental or expert bodies involved in the screening of pre-proposals or the appraisal or approval for funding of project proposals by the Benefit-sharing Fund may be asked to provide general support, mentoring and guidance to colleagues in applicant institutions that may be seeking funding from the Benefit-sharing Fund. There is no objection to this support being provided, nor to members sharing publicly available information about the policies or procedures of the Benefit-sharing Fund, if requested. Members shall not disclose any non-public available information, such as details of proposals or rating by experts of individual proposals.

12. If a member is approached for specific advice (including technical advice) on an application to the Fund, the member may provide such advice (subject to the restriction in paragraph 11 above) but shall disclose this fact to the Secretary. The member will be regarded as having a conflicting interest in that application.

Discussions outside meetings

13. A member shall not, prior to a meeting of an intergovernmental or expert body, discuss any pre-proposal or project proposal which is to be considered at that meeting with any other member responsible for the consideration of that pre-proposal or project-proposal. If a member has any such discussion, she or he must report this to the Secretary at, or before the start of the meeting.

Confidentiality of pre-proposals or proposals, and decision-making

14. The contents of papers and correspondence relating to pre-proposals and project proposals are strictly confidential. Members of intergovernmental or expert bodies also have the right to expect that the Treaty Secretariat and other members will treat their comments with confidentiality. Accordingly, all members of the intergovernmental or expert bodies:

- (1) Shall keep papers secure and not disseminate them to anyone.
- (2) Shall not discuss pre-proposals or project proposals with anyone else (including colleagues based at the member's host institution and referees) without prior permission from the Secretary.
- (3) Shall keep the identity of applicants and experts assigned to individual pre-proposals or proposals confidential at all times.
- (4) Shall not discuss with applicants, either in connection with the applicants' own pre-proposal or project proposal or any other application, or anyone else any aspect of the deliberations or recommendations regarding an application. Feedback will be provided as appropriate by the Secretariat. Members shall refuse any requests for information or for an explanation of how a particular decision was reached – all such requests must be referred to the Secretariat.

15. Members of intergovernmental or expert bodies who are approached by individuals or organizations for information on the status or outcome related to their specific pre-proposals or project proposals should always refer all such enquiries to the Secretariat.