

# ***Increasing Transparency: Conflicts of Interest Disclosures***

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# What is a conflict of interest?

## *2003 OECD Guidelines for Managing Conflicts of Interest*

“a conflict between the public duty and the private interest of a public official, in which a public official’s private-capacity interest could improperly influence the performance of their (sic) official duties and responsibilities”



# Why is the concept important?

- ➡ public interest is fundamental to public office
- ➡ public duties should be conducted in a fair and impartial manner
- ➡ but public officials can improperly carry out their functions for private advantage
- ➡ conflicts-of-interest lead to a breakdown of trust in public institution



# Conflicts of Interest Situations

- ➡ Actual: current or past, leading to improper performance of duties is an abuse of power and corruption
- ➡ Apparent: appears that private interests could improperly influence performance of public function but is not the case
- ➡ Potential: the existence of private interests where a conflict of interests would arise if the public official were to take on relevant official responsibilities in the future



# Principles for managing conflicts of interest?

- ➡ Serving the public interest
- ➡ Supporting transparency and scrutiny
- ➡ Promoting individual responsibility and personal example
- ➡ Engendering an organizational culture which is intolerant of conflicts of interest



# Policy framework for conflicts of interest?

- Definition of conflict of interest situations
- Identification of specific occurrences
- Leadership and commitment to implement policy
- Awareness in order to comply and anticipation of risk areas
- Appropriate disclosure and effective management
- Partnerships with contractors, clients, sponsor and community
- Assessment and evaluation of policy
- Redevelopment and adjustments of policy



# Why disclose conflicts of interests?

- ➡ take preventive measures
- ➡ allows public scrutiny judge
- ➡ protects public officials from unfair accusations



# What to disclose?

- ➡ Financial disclosure and assets declaration (monitor illicit enrichment)
- ➡ Additional employment
- ➡ Inside information
- ➡ Contracts
- ➡ Gifts and other benefits
- ➡ Family and community expectations
- ➡ Outside appointments
- ➡ Business or NGO activity upon leaving office





# Conclusion

- ➡ Disclosures of potential conflicts of interest:
  - ➡ Allow preventive measures for actual conflicts of interest
  - ➡ Protect public officials in cases of apparent conflicts of interest
  - ➡ Permit a systematic way of managing conflicts of interest
  - ➡ Increases transparency and public confidence in public institutions
  - ➡ Safeguards public interest, central to democratic governance



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