

INVESTING IN LIVELIHOOD RESILIENCE AND SOIL HEALTH IN ACP COUNTRIES (ILSA): SCALING-UP AGROECOLOGY APPROACHES IN LIBERIA

TERMS OF REFERENCE: Finance Officer

Background:

In June 2023, IFAD and the European Union signed into implementation a Supplementary Funds Agreement for the programme: *Investing in Livelihood Resilience and Soil Health in ACP countries (ILSA) - IFAD's Contribution to the EU initiative on Food Production and Resilience of Food Systems in African, Caribbean and Pacific (ACP) countries*.¹ The programme shares the development objective of the EU Action on “Investing in sustainable and resilient agriculture and food systems – bridging crisis response and long- term resilience in ACP countries” and seeks “to enhance the production of locally grown nutritious and diversified food and the resilience of food systems”.

Liberia is implementing the **Scaling-Up Agroecology Approaches in Liberia** under this programme. The intervention is embedded into the Smallholder Agriculture Transformation and Agribusiness Revitalization Project (STAR-P), a project funded by IFAD and the World Bank, aiming at boosting agricultural production for smallholder farmers and competitiveness of agrobusinesses. The inclusion of the ILSA grant in the STAR project complement ongoing activities, boosting the adoption of agroecological agricultural practices among farmers. The ILSA project's goal is to improve farmers resilience, food security and livelihoods through sustainable agricultural practices. The project specific objective is to sustainably increase horticulture production through the promotion of agroecological soil fertility, water management practices as well as irrigation technologies and innovative knowledge co-creation models. The five million project will be implemented over five years until 2029.

FINANCE OFFICER

The Ministry of Agriculture wishes to recruit highly motivated Finance Officer to support the Project. Under the direct supervision of the Project Coordinator, and within the framework of the grant agreement the Finance Officer will be responsible for the financial and administrative management of the project, including the maintenance of appropriate accounting and reporting systems and ensuring efficient management of projects resources. Specific duties include:

- Implement appropriate financial management systems and tools for the project, strictly in line with the Financing Agreement, the FMFCL and the Project Implementation Manual;
- Implement internal controls aligned to the PIM and to best practices, as regards asset management, controls for vehicles and fuel, payment approval processes, accounting and financial accounting;
- In close liaison with the Project Coordinator, supervise the preparation of the Annual Work Plan and Budget, including consolidation of the inputs by all parties for submission and presentation to the national steering committee and IFAD.
- Lead the quarterly budget variance analysis, follow-up and cash flow forecast processes in coordination with the M & E, Procurement and Component managers,
- Prepare and monitor project budgets.¹ [EC 2023 ILSA Agreement](#)
- Prepare and/or verify all withdrawal applications for submission to IFAD and ensure the availability of funds for all planned activities. Follow-up and reconcile initial advance and grant account;
- Manage the project bank account, approve, co-sign all payments and validate all monthly bank reconciliations
- Prepare on a timely basis the necessary financial reports and statements (Interim Financial Reports and Annual financial statements) as well as input for the required project reports (Quarterly Progress Reports, Mid-Term review and Project Completion

reports), and any other reports that would be required by the national steering committee and/or project management.

- Ensure the timely recording of Government and beneficiary Counterpart funds, whether in-kind or in cash;
- Maintain detailed asset register for all goods, equipment and circulating resources (vehicles, motorbikes, etc.) acquired by the project, including those acquired by service providers contracted by the project;
- Prepare financial statements in accordance with international accounting standards;
- Prepare balance sheets and periodic financial reports and submit them for approval;
- Coordinate the process of contracting an external audit firm to conduct an independent audit of the annual project account, ensuring that annual audits are carried out and audit reports issued within the specified timeframe.
- Develop and maintain a system of financial control over all expenditures incurred by the implementing partner(s).
- Supervise and coordinate the work of staff placed under his/her authority.
- Ensure that staff appraisal procedures are properly implemented.
- Assist in providing coordination between various project components to ensure achievement of overall project objectives.
- Prepare and coordinate all donors and audit missions.
- Develop action plans to follow up recommendations of donors and audit missions and ensure they are implemented.
- Carry out any other activities assigned by the Project Coordinator.

Qualifications and Experience

Education:

- Bachelor's degree in accounting or finance, Masters' degree is an added advantage
- Professional qualification (ACCA/CA) is an advantage
- Demonstrate knowledge of IPSAS, IAS, internal control systems

Work experience and skills:

- The Finance Officer will be a professional accountant in good standing with experience in auditing and not less than 5 years' experience in financial management, including two (2) years in a supervisory position;
- Experience in IFAD or donor funded projects and public sector is preferred;
- Demonstrated ability to use automated accounting system. Mastery of Tompro is a plus);
- Must have good knowledge of financial management policies and procedures of the GoL, multilateral financial institutions and development cooperation agencies; as well as good knowledge of the institutional, technical, and commercial aspects of financial management;
- Computer proficiency in standard office applications (Excel, word processing, Internet Explorer),
- Excellent communication, interpersonal and other soft skills, such as, team working, attention to details and time management skills are very essential
- Fluency in English

Annex 1: Revised IFAD Policy on Preventing Fraud and Corruption in its Activities and Operations

I. Introduction

1. The adverse effects of corruption and bribery on the achievement of development objectives are recognized in the Sustainable Development Goals, one of whose targets is to “substantially reduce corruption and bribery in all their forms”. Under the Agreement Establishing IFAD, the Fund has a fiduciary duty to “make arrangements to ensure that the proceeds of any financing are used only for the purposes for which the financing was provided, with due attention to considerations of economy, efficiency and social equity”. The Fund is committed to promoting and adhering to the highest standards of probity and accountability in the use of its financing and will not tolerate the diversion or waste of the resources entrusted to it by its Membership through fraud or corruption.

2. In 2005, the Executive Board adopted a zero-tolerance policy towards fraud and corruption in IFAD-financed and/or IFAD-managed activities and operations (EB 2005/85/R.5/Rev.1). Since then, the Fund’s business model and legal framework have evolved, and new best practices for the prevention and mitigation of fraud and corruption have emerged in other United Nations entities and international financial institutions (IFIs). To reflect this changed context, some elements of the 2005 policy need to be revised. The objective of the proposed revision is to reaffirm the Fund’s and its Member States’ continued commitment to the prevention and mitigation of fraud and corruption in IFAD-financed and/or IFAD-managed operations and activities and to ensure that the Fund has adequate safeguards and measures in place to this end.

II. Overview of the proposed policy revision

3. The following modifications are the main components of the proposed revision of the 2005 policy:

- (i) Updating the definitions of Prohibited Practices (i.e. fraudulent, corrupt, collusive and coercive practices) and including obstructive practices as an additional element in the category of prohibited practice in order to strengthen the Fund’s anticorruption framework and better align it with best practices at other United Nations entities and IFIs;
- (ii) Strengthening the due diligence obligations of borrowers and grant recipients in relation to downstream partners. In particular, borrowers and grant recipients would be required to include clauses in procurement documents and contracts that would establish an obligation for bidders and contractors to disclose information relating to: (i) relevant criminal convictions, administrative sanctions and/or temporary suspensions, (ii) the agents engaged in connection with a procurement process or the execution of a contract, including the commissions and fees paid or to be paid, and (iii) any actual or potential conflicts of interest in connection with a procurement process or the execution of a contract;
- (iii) Allowing the Fund to unilaterally recognize public debarments imposed by other IFIs if those debarments meet the requirements for mutual recognition under the Agreement for Mutual Enforcement of Debarment Decisions.¹ In addition, prior to selecting a bidder or entering into a contract, borrowers and grant recipients would have to ensure that the bidder or potential contractor is not cross-debarred by any of the IFIs that are signatories to the Agreement for Mutual Enforcement of Debarment Decisions;
- (iv) Strengthening the responsibilities of borrowers and grant recipients in regard to the receipt of allegations of prohibited practices and the action taken in response to such allegations. In particular, governments would be encouraged to have in place confidential reporting channels and whistle-blower protection measures and would be expected to conduct their own investigations into potential fraud or corruption in IFAD projects;
- (v) Requiring borrowers and grant recipients to include clauses in procurement documents and contracts that inform implementing partners of IFAD’s jurisdiction to conduct investigations and impose sanctions for prohibited practices; and
- (vi) Clarifying that the Fund may share information and evidence relating to an ongoing or completed investigative, sanctioning or disciplinary process with other multilateral organizations or local authorities on a confidential basis.

III. Proposed revision of the General Conditions for Agricultural Development Financing

4. The proposed revision of the 2005 policy would make it necessary to revise the General Conditions for Agricultural Development Financing (the “General Conditions”). A revised version of the General Conditions that reflects the proposed changes to the 2005 policy is being submitted separately to the Executive Board for its consideration and approval.

IV. Follow-up actions

5. If the Executive Board approves the revised IFAD Policy on Preventing Fraud and Corruption in its Activities and Operations, the Project Procurement Guidelines of the Fund and any other legal or policy documents affected by the proposed revision will be revised accordingly.

6. To facilitate the implementation of the revised IFAD Policy on Preventing Fraud and Corruption in its Activities and Operations, an implementation plan is being developed, which includes a plan for training and strategic outreach.

7. Efforts to pursue memorandums of understanding with other United Nations entities, IFIs and local authorities will be reinforced in order to facilitate and regulate the confidential exchange of information and evidence.

V. Executive Board decision

8. The Executive Board is invited to approve the revised IFAD Policy on Preventing Fraud and Corruption in its Activities and Operations.

1 The Agreement for Mutual Enforcement of Debarment Decisions was signed by the African Development Bank Group, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank and the World Bank Group in April 2010.

IFAD Policy on Preventing Fraud and Corruption in its Activities and Operations

I. Introduction

1. The Fund recognizes that the prevention and mitigation of fraud and corruption in its activities and operations are core components of its development mandate and fiduciary duties. The Fund does not tolerate the diversion or waste of its resources through the practices defined in paragraph 6 below.

2. The objective of this policy is to establish the general principles, responsibilities and procedures to be applied by the Fund in preventing and addressing prohibited practices in its activities and operations.

3. This policy takes effect on the date of its issuance. It supersedes and replaces the IFAD Policy on Preventing Fraud and Corruption in its Activities and Operations (EB 2005/85/R.5/Rev.1) dated 24 November 2005.

II. Policy

A. General principles

4. The Fund has no tolerance towards prohibited practices in its activities and operations. All individuals and entities listed in paragraph 7 below must take appropriate action to prevent, mitigate and combat prohibited practices when participating in an IFAD-financed and/or IFAD-managed operation or activity.

5. The Fund endeavours to ensure that individuals and entities that help to prevent or report, in good faith, allegations of prohibited practices are protected against retaliation and to protect individuals and entities that are the subject of unfair or malicious allegations.

B. Prohibited practices

6. The following practices are considered to be prohibited practices when engaged in connection with an IFAD-financed and/or IFAD-managed operation or activity:

(a) A “corrupt practice” is the offering, giving, receiving or soliciting, directly or indirectly, of anything of value in order to improperly influence the actions of another party;

(b) A “fraudulent practice” is any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party in order to obtain a financial or other benefit or to avoid an obligation;

(c) A “collusive practice” is an arrangement between two or more parties designed to achieve an improper purpose, including improperly influencing the actions of another party;

(d) A “coercive practice” is impairing or harming, or threatening to impair or harm,

directly or indirectly, any party or the property of the party in order to improperly influence the actions of that or another party;

(e) An “obstructive practice” is: (i) deliberately destroying, falsifying, altering or concealing evidence that may be material to an investigation by the Fund or making false statements to investigators in order to materially impede an investigation by the Fund; (ii) threatening, harassing or intimidating any party in order to prevent that party from disclosing its knowledge of matters relevant to an investigation by the Fund or from pursuing such an investigation; and/or (iii) the commission of any act intended to materially impede the exercise of the Fund’s contractual rights of audit, inspection and access to information.

C. Scope

7. This policy applies to all IFAD-financed and/or IFAD-managed operations and activities and to the following individuals and entities:

(a) IFAD staff and other persons working for IFAD as non-staff personnel (“IFAD staff and non-staff personnel”);

(b) Individuals and entities holding a commercial contract with the Fund and any of their agents or personnel (“vendors”);

(c) Public entities receiving IFAD financing or financing managed by the Fund and any of their agents or personnel (“government recipients”) and private entities receiving IFAD financing or financing managed by the Fund and any of their agents or personnel (“non-government recipients”) (all collectively referred to as “recipients”); and

(d) Individuals and entities, other than those referred to above, that receive, apply to receive, are responsible for the deposit or transfer of, or take or influence decisions regarding the use of proceeds from IFAD financing or financing managed by the Fund, including, but not limited to, implementing partners, service providers, contractors, suppliers, subcontractors, sub-suppliers, bidders, consultants and any of their agents or personnel. (All such individuals and entities are collectively referred to as “third parties”.)

D. Responsibilities

(i) Responsibilities of the Fund

8. The Fund endeavours to prevent, mitigate and combat prohibited practices in its operations and activities. This may include adopting and maintaining:

(a) Communication channels and a legal framework designed to ensure that this policy is communicated to IFAD staff and non-staff personnel, vendors, recipients and third parties and that it is reflected in procurement documents and contracts relating to IFAD-financed and/or IFAD-managed activities and operations;

(b) Fiduciary controls and supervisory processes designed to support adherence to this policy by IFAD staff and non-staff personnel, vendors, recipients and third parties;

(c) Measures relating to the receipt of confidential complaints, whistle-blower protection, investigations, sanctions and disciplinary measures which are designed to ensure that prohibited practices can be properly reported and addressed; and

(d) Measures designed to ensure that the Fund can report individuals and entities that have been found to have engaged in prohibited practices to other multilateral organizations which may be exposed to similar actions by the same individuals and entities and to local authorities in cases where local laws may have been violated.

(ii) Responsibilities of IFAD staff and non-staff personnel, vendors and third parties

9. When participating in an IFAD-financed and/or IFAD-managed operation or activity, IFAD staff and non-staff personnel, vendors and third parties will:

(a) Refrain from engaging in prohibited practices;

(b) Participate in due diligence checks and disclose, as required, information relating to themselves or any of their key personnel concerning relevant criminal convictions, administrative sanctions and/or temporary suspensions; information concerning agents engaged in connection with a procurement process or contract, including the commissions or fees paid or to be paid; and information concerning any actual or potential conflicts of interest in connection with a procurement process or the execution of a contract;

(c) Promptly report to the Fund any allegations or other indications of prohibited practices

that come to their attention by virtue of their involvement in an IFAD-financed and/or IFAD-managed operation or activity;

(d) Fully cooperate with any investigation conducted by the Fund, including by making personnel available for interviews and providing full access to any and all accounts, premises, documents and records (including electronic records) relating to the relevant IFAD-financed and/or IFAD-managed operation or activity, and by having such accounts, premises, documents and records audited and/or inspected by auditors and/or investigators appointed by the Fund; and

(e) Maintain strict confidentiality regarding any and all information received as a consequence of their participation in an IFAD investigation or sanctioning process.

10. When participating in an IFAD-financed and/or IFAD-managed operation or activity, vendors and third parties will maintain all accounts, documents and records relating to that operation or activity for an adequate period of time, as specified in the relevant procurement documents or contract.

(iii) Responsibilities of recipients

11. When participating in an IFAD-financed and/or IFAD-managed operation or activity, recipients will take appropriate action to prevent, mitigate and combat prohibited practices. In particular, they will:

(a) Adopt appropriate fiduciary and administrative practices and institutional arrangements in order to ensure that the proceeds of any IFAD financing or financing managed by the Fund are used only for the purposes for which they were provided;

(b) During selection processes and/or prior to entering into a contractual relationship with a third party, conduct appropriate due diligence checks of the selected bidder or potential contractor, including by verifying whether the selected bidder or potential contractor is publicly debarred by any of the IFIs that are signatories to the Agreement for Mutual Enforcement of Debarment Decisions² and, if so, whether the debarment meets the requirements for mutual recognition under the Agreement for Mutual Enforcement of Debarment Decisions;

(c) Take appropriate action to inform third parties and beneficiaries (defined as “persons whom the Fund intends to serve through its grants and loans”) of the present policy as well as the Fund’s confidential and secure e-mail address for the receipt of complaints concerning prohibited practices;

(d) Include provisions in procurement documents and contracts with third parties which:

(i) Require third parties to disclose, in the course of a procurement process and any time thereafter, information relating to themselves or any of their key personnel concerning relevant criminal convictions, administrative sanctions and/or temporary suspensions; information concerning agents engaged in connection with a procurement process or the execution of a contract, including the commissions or fees paid or to

² The Agreement for Mutual Enforcement of Debarment Decisions, dated 9 April 2010, was signed by five of the leading IFIs, namely, the African Development Bank Group, the Asian Development Bank, the European Bank for Reconstruction and Development, the Inter-American Development Bank and the World Bank Group.

be paid; and information concerning any actual or potential conflicts of interest in connection with a procurement process or the execution of a contract;

(ii) Require third parties to promptly report to the Fund any allegations or other indications of prohibited practices that come to their attention by virtue of their involvement in an IFAD-financed and/or IFAD-managed operation or activity;

(iii) Inform third parties of the Fund’s jurisdiction to investigate allegations and other indications of prohibited practices and to impose sanctions on third parties for such practices in connection with an IFAD-financed and/or IFAD-managed operation or activity;

(iv) Require third parties to fully cooperate with any investigation conducted by the Fund, including by making personnel available for interviews and by providing full access to any and all accounts, premises, documents and records (including electronic records) relating to the relevant IFAD- financed and/or IFAD-managed operation or activity and to have such

accounts, premises, records and documents audited and/or inspected by auditors and/or investigators appointed by the Fund;

(v) Require third parties to maintain all accounts, documents and records relating to an IFAD-financed and/or IFAD-managed operation or activity for an adequate period of time as agreed with the Fund;

(vi) Inform third parties of the Fund's policy of unilaterally recognizing debarments imposed by other IFIs if such debarments meet the requirements for mutual recognition under the Agreement for Mutual Enforcement of Debarment Decisions; and

(vii) Provide for early contract termination or suspension by the recipient if such termination or suspension is required as a consequence of a temporary suspension or sanction imposed or recognized by the Fund;

(e) Promptly inform the Fund of any allegations or other indications of Prohibited Practices that come to their attention;

(f) Fully cooperate with any investigation conducted by the Fund, including by making personnel available for interviews and by providing full access to any and all accounts, premises, documents and records (including electronic records) relating to the relevant IFAD-financed and/or IFAD-managed operation or activity and to have such accounts, premises, documents and records audited and/or inspected by auditors and/or investigators appointed by the Fund;

(g) Maintain all accounts, documents and records relating to an IFAD-financed and/or IFAD-managed operation or activity for an adequate period of time, as specified in the relevant financing agreement; and

(h) Maintain strict confidentiality regarding any and all information received as a consequence of their participation in an IFAD investigation or sanctioning process.

12. Where the Fund finds that prohibited practices have occurred, recipients will:

(a) Take appropriate corrective measures in coordination with the Fund; and

(b) Give full effect to any temporary suspension or sanction imposed or recognized by the Fund, including by not selecting a bidder, not entering into a contract or suspending or terminating a contractual relationship.

13. Prior to the implementation of an IFAD-financed and/or IFAD-managed operation or activity, government recipients will inform the Fund of the arrangements that they have made for receiving and taking action in response to allegations of fraud and corruption relating to the IFAD-financed and/or IFAD-managed operation or activity, including by designating an independent and competent local authority to be responsible for receiving, reviewing and investigating such allegations.

14. When participating in an IFAD-financed and/or IFAD-managed operation or activity, government recipients will, in consultation with the Fund, take timely and appropriate action to launch a local investigation into allegations and/or other indications of fraud and corruption relating to the IFAD-financed and/or IFAD-managed operation or activity; inform the Fund of the actions taken in any such investigation at such intervals as may be agreed upon by the recipient and the Fund on a case-by-case basis; and, upon the completion of such investigation, promptly share the findings and results thereof, including the supporting evidence, with the Fund. Government recipients will work with the Fund to coordinate any actions other than investigations that they may wish to undertake in response to an alleged or otherwise indicated prohibited practice.

15. Government recipients are encouraged to have in place, in accordance with their laws and regulations, effective whistle-blower protection measures and confidential reporting channels in order to appropriately receive and address allegations of fraud and corruption relating to IFAD-financed and/or IFAD-managed operations and activities.

E. Process

(i) Reporting

16. A designated confidential and secure e-mail address for the receipt of allegations of prohibited practices is available on the Fund's website.

17. In the event of uncertainty as to whether or not an act or omission constitutes a prohibited practice, the designated confidential and secure e-mail address may be used to seek

guidance.

18. The Fund treats all reported allegations with strict confidentiality. This means that the Fund does not normally reveal the identity of a reporting party to anybody outside of the investigative, sanctioning or disciplinary process without the consent of the reporting party.

19. The Fund endeavours to provide protection from retaliation to any individuals or entities that have helped prevent or have reported to the Fund, in good faith, allegations or other indications of prohibited practices. IFAD staff and non-staff personnel are protected from retaliation under the Fund's Whistle-blower Protection Procedures.

(ii) Investigations

20. Where the Fund has reason to believe that prohibited practices may have occurred, the Fund may decide to review and investigate the matter, irrespective of any investigative actions launched or planned by the recipient.

21. The purpose of an investigation conducted by the Fund is to determine whether an individual or entity has engaged in one or more prohibited practices in connection with an IFAD-financed and/or IFAD-managed operation or activity.

22. Reviews and investigations conducted by the Fund are, inter alia:

(a) Strictly confidential, meaning that the Fund does not disclose to anyone outside of the investigative, sanctioning or disciplinary process any evidence or information relating to the review or investigation, including the outcome of a review or investigation, unless such disclosure is allowed under the Fund's legal framework;

(b) Independent, meaning that no authority is allowed to interfere with an ongoing review or investigation or to otherwise intervene in, influence or stop such a review or investigation; and

(c) Administrative, as opposed to criminal, in nature, meaning that reviews and investigations conducted by the Fund are governed by the Fund's rules and procedures, not by local laws.

23. The office within the Fund that is mandated to conduct reviews and investigations into alleged or otherwise indicated prohibited practices is the Office of Audit and Oversight (AUO). Without prejudice to paragraphs 9(d) and 11(f), AUO may agree not to disclose to anybody outside of AUO any evidence or information that it has obtained on the condition that such evidence or information may be used solely for the purpose of generating new evidence or information, unless the provider of the evidence or information consents.

F. Sanctions and related measures

(i) Temporary suspensions

24. During the course of an IFAD review or investigation, or pending the conclusion of a sanctioning process, the Fund may decide, at any time, to temporarily suspend payments to IFAD non-staff personnel, non-government recipients, vendors or third parties or to temporarily suspend their eligibility to participate in IFAD- financed and/or IFAD-managed operations and activities for an initial period of six

(6) months, subject to a possible extension of that suspension for an additional six

(6) months.

25. IFAD staff may be temporarily suspended from their duties in accordance with the applicable human resources framework.

(ii) Sanctions

26. If the Fund determines that IFAD non-staff personnel, non-government recipients, vendors or third parties have engaged in prohibited practices, the Fund may impose administrative sanctions on such individuals or entities.

27. Sanctions are imposed on the basis of: (i) the findings and evidence presented by AUO, including mitigating and exculpatory evidence; and (ii) any evidence or arguments submitted by the subject of the investigation in response to the findings presented by AUO.

28. The Fund may apply any of the following sanctions or a combination thereof:

(a) Debarment, which is defined as declaring an individual or entity ineligible, either indefinitely or for a stated period of time, to: (i) be awarded any IFAD- financed contract; (ii) benefit, financially or otherwise, from any IFAD- financed contract, including by being engaged as a subcontractor; and (iii) otherwise participate in the preparation or

implementation of any IFAD- financed and/or IFAD-managed operation or activity;

(b) Debarment with conditional release, which is defined as a debarment that is terminated upon compliance with conditions set forth in the sanction decision;

(c) Conditional non-debarment, which is defined as requiring an individual or entity to comply with certain remedial, preventive or other measures as a condition for non-debarment on the understanding that a failure to comply with such measures within a prescribed period of time will result in an automatic debarment under the terms provided for in the sanction decision;

(d) Restitution, which is defined as a payment to another party or the Fund (with respect to the Fund's resources) of an amount equivalent to the amount of the diverted funds or the economic benefit obtained as a result of having engaged in a prohibited practice; and

(e) Letter of reprimand, which is defined as a formal letter of censure for the actions of an individual or entity which informs that individual or entity that any future violation will lead to more severe sanctions.

29. The Fund may extend the application of a sanction to any affiliate of a sanctioned party even if the affiliate has not been directly involved in the prohibited practice. An affiliate is defined as any individual or entity that is: (i) directly or indirectly controlled by the sanctioned party; (ii) under common ownership or control with the sanctioned party; or (iii) acting as an officer, employee or agent of the sanctioned party, including owners of the sanctioned party and/or those who exercise control over the sanctioned party.

30. For the purposes of IFAD-financed and/or IFAD-managed operations and activities, the Fund may consider as debarred individuals and entities that have been debarred by another IFI where: (i) that IFI is a signatory to the Agreement for Mutual Enforcement of Debarment Decisions; and (ii) such debarment meets the requirements for mutual recognition under the Agreement for Mutual Enforcement of Debarment Decisions.³

(iii) Disciplinary measures

31. If the Fund finds that IFAD staff have engaged in prohibited practices, the Fund may apply disciplinary measures and may require restitution or other compensation in accordance with the applicable human resources framework.

G. Referrals and information-sharing

32. The Fund may, at any time, refer information or evidence relating to an ongoing or completed investigative, sanctioning or disciplinary process to the local authorities of a Member State. In determining whether such a referral is appropriate, the Fund takes into consideration the interests of the Fund, the affected Member States, the individuals or entities under investigation and any other persons, such as witnesses, who are involved in the case.

33. If the Fund obtains information or evidence indicating potential wrongdoing in connection with the operations and/or activities of another multilateral organization, the Fund may make such information or evidence available to the other organization for the purposes of its own investigative, sanctioning or disciplinary processes.

34. In order to facilitate and regulate the confidential exchange of information and evidence with local authorities and multilateral organizations, the Fund seeks to conclude agreements which establish the rules for such an exchange.

H. Operational responses to Prohibited Practices

(i) Rejection of an award of contract

35. The Fund may refuse to give its no-objection to the award of a contract to a third party if it determines that the third party, or any of its personnel, agents, subconsultants, subcontractors, service providers, suppliers and/or their employees, engaged in a prohibited practice while competing for the contract in question.

(ii) Declaration of misprocurement and/or ineligibility of expenditures

36. The Fund may, at any time, declare a misprocurement and/or the ineligibility of any expenditures associated with a procurement process or contract if it determines that a third party or a representative of the recipient has engaged in a prohibited practice in connection with the procurement process or contract at issue and that the recipient has not taken timely and appropriate action, satisfactory to the Fund, to address such practices when they occur.

³ The Fund may, in the future, decide to also recognize debarments imposed by entities that

are not signatories to the Agreement for Mutual Enforcement of Debarment Decisions.

(iii) Suspension or cancellation of loan or grant

37. If the Fund determines that a recipient has not taken timely and appropriate action, satisfactory to the Fund, to address prohibited practices when they occur, the Fund may suspend or cancel, in whole or in part, the loan or grant affected by such practices.

Annex 2: IFAD policy to preventing and responding to sexual harassment, sexual exploitation and abuse

I. INTRODUCTION

1. IFAD is committed to the principles of integrity, professionalism and respect for the dignity of all people. IFAD seeks to ensure a safe working environment free of harassment, including sexual harassment, and free of sexual exploitation and abuse (SEA) in its activities and operations. SEA is a grave breach of trust of the people IFAD intends to serve and can have devastating consequences for victims, their families and affected communities. Thus, IFAD deems it central to its core values and mandate to have in place an effective policy addressing sexual harassment and SEA in its activities and operations.
2. IFAD has no tolerance towards acts of sexual harassment or SEA and takes action to prevent sexual harassment and SEA from occurring in the first place and ensures a prompt and effective response to allegations.
3. The objective of this policy is to: (i) define obligations of IFAD staff and those individuals holding a work contract with IFAD with respect to sexual harassment and SEA; and (ii) set out IFAD's rules and procedures and approach in preventing and responding to sexual harassment and SEA.
4. This policy enters into effect immediately. Related internal policies, procedures and contractual documents will be amended to reflect the measures contained herein, including the Implementing Procedures, SECAP complaint mechanisms and other internal processes.

II. DEFINITIONS AND SCOPE

1. In line with international standards, in particular the 2003 United Nations Bulletin on Protection from Sexual Exploitation and Abuse (ST/SGB/2003/13), IFAD defines Sexual Exploitation and Abuse (SEA) as follows:
“sexual exploitation and abuse of beneficiaries in the context of IFAD's operations in the field: any actual or attempted abuse of a position of vulnerability, differential power, or trust, for sexual purposes, including, but not limited to, profiting monetarily, socially or politically from the sexual exploitation of others (sexual exploitation); the actual or threatened physical intrusion of a sexual nature, whether by force or under unequal or coercive conditions (sexual abuse).”
2. Sexual harassment is defined as follows:
“any unwelcome sexual advance, request for sexual favour or other verbal, non-verbal or physical conduct of a sexual nature that unreasonably interferes with work, alters or is made a condition of employment, or creates an intimidating, hostile or offensive work environment.”
3. For the purposes of this Policy, the term “SEA” refers to behaviour towards beneficiaries of IFAD-funded or -managed activities and operations (defined as “persons that IFAD intends to serve through its grants and loans”). The term “IFAD activities and operations” refers to all activities and operations financed or managed by the Fund.
4. SEA may include any unwanted or forced sexual act committed without consent of the other person or threat thereof, sexual activities with a minor, unwanted touching of a sexual nature, forcing someone to have sex with anyone, videotaping or photographing sexual acts and posting them without permission, name calling with sexual epithets, and telling someone that they or anyone else have to engage in sexual acts as a condition for anything. SEA risk assessment is mainstreamed into all project designs funded by IFAD and SEA obligations are embodied in agreements and related financial documentation.
5. For the purposes of this Policy, the term “sexual harassment” refers to a form of harassment generally associated with the work context that creates an intimidating, hostile or offensive work environment. Sexual harassment includes, but is not limited to: unsolicited requests for sexual favours, requests for sexual favours linked to career prospects, unwanted physical contact, propositions or pressure for sexual activity, continued suggestions for social activity outside the workplace when it has been made clear that such suggestions are unwelcome, visual displays of degrading sexual images, objects or written material, leering, whistling or making sexually suggestive gestures, sexually suggestive conduct or offensive

remarks of a sexual nature.

III. IFAD SEXUAL HARASSMENT AND SEA POLICY

Section 1 – Guiding principles

6. IFAD staff and other individuals holding a work contract with IFAD shall work and behave in a manner that respects and fosters each other's rights and the rights of the people they serve. This includes an obligation to abstain from any acts of sexual harassment and/or SEA and to report in a timely manner any allegations of sexual harassment and/or SEA that may arise at IFAD or in the context of an IFAD-funded or -managed activity or operation.

IFAD managers and supervisors have the responsibility to create and maintain a work environment that helps prevent sexual harassment and SEA and to encourage reporting of allegations of sexual harassment and/or SEA.

7. IFAD has no tolerance for acts of sexual harassment and/or SEA. IFAD is committed to facilitating the reporting of sexual harassment and SEA and ensuring a prompt and effective response to allegations of sexual harassment and/or SEA, including through timely and objective investigations. IFAD is also committed to protecting reporting parties who act in good faith from retaliation. IFAD is further committed to preventing sexual harassment and SEA from occurring in the first place, for example through activities such as awareness raising, background checks and appropriate project design.

Section 2 – Application

8. This policy applies to all IFAD staff, independent of their location, grade, type or duration of appointment, including staff members on loan, Junior Professional Officers and Temporary Short-term staff. It also applies to all individuals hired by IFAD under a non-staff contract such as consultants, interns as well as vendors and suppliers contracted by IFAD.

9. In its spirit and principles, this policy also applies to all recipients of IFAD funding and third parties contracted using IFAD's funding such as consultants, contractors and vendors.

Section 3 – Responsibilities

A. Responsibilities of IFAD staff and individuals holding a work contract with IFAD

1. Obligation to act ethically

10. IFAD staff and other individuals holding a work contract with IFAD are expected to adhere to the highest ethical standards, both in their professional and personal dealings, and to abide by the core values of the Fund: integrity, respect, professionalism and focus on results. This includes an obligation not to sexually harass, exploit or abuse others.

In furtherance of that, IFAD staff and individuals holding a work contract with IFAD have the following responsibilities:

i. Abstain from engaging in any acts of sexual harassment and/or SEA. Acts of sexual harassment and/or SEA are considered serious misconduct, which may lead to summary dismissal, termination of contract and/or referral to national authorities.

ii. Abstain from encouraging or condoning acts of sexual harassment and/or SEA committed by others in connection with an

IFAD-funded or -managed activity or operation. Encouraging or condoning acts of sexual harassment and/or SEA is considered misconduct, which may lead to disciplinary measures.

iii. Abstain from any sexual activities with beneficiaries, as such relationships are marked by inherently unequal power dynamics, and may undermine the credibility and integrity of the work of the Fund.

iv. Contribute to a work environment that prevents sexual harassment and SEA from occurring in the first place. In particular, managers and supervisors are expected to clearly communicate IFAD's

no-tolerance policy towards sexual harassment and SEA, behave in an exemplary manner and encourage timely reporting of sexual harassment and SEA allegations. IFAD staff and individuals holding a work contract with IFAD are required to participate in anti-harassment and SEA trainings and support the Ethics Office in awareness-raising campaigns involving third parties, in particular project staff and local communities.

2. Obligation to report

11. IFAD staff and other individuals holding a work contract with IFAD who witness or otherwise become aware of potential acts of sexual harassment and/or SEA, or who have reason to suspect that such acts have been or are being committed at IFAD or in connection with an IFAD-funded or -managed activity or operation, have a duty to immediately report this to IFAD through the appropriate reporting channels. The appropriate reporting channel for sexual harassment and SEA is the Ethics Office (Hotline +39 06 5459 2525 or ethicsoffice@ifad.org). SEA allegations can also be reported to the Office of Audit and Oversight (Hotline +39 06 5459 2888 or anticorruption@ifad.org).

12. Where an IFAD staff member or or an individual holding a work contract with IFAD witnesses or otherwise becomes aware of, or has reason to suspect, acts of sexual harassment and/or SEA, but fails to report this to IFAD in a timely manner, IFAD considers this as misconduct, which may lead to disciplinary measures.

13. The reporting of false allegations of sexual harassment and/or SEA made with an intent to harm the reputation of another person or IFAD, or to take undue advantage of IFAD's reporting mechanism for personal benefit, is considered misconduct, which may lead to disciplinary measures.

14. IFAD staff and individuals holding a work contract with IFAD are required to cooperate unreservedly with the Office of Audit and Oversight and/or the Ethics Office and to respond promptly to any requests for information.

B. Responsibilities of IFAD

1. Establish and maintain an appropriate reporting mechanism

15. IFAD makes available an immediate and confidential reporting mechanism to report potential acts of sexual harassment associated with the workplace at IFAD and/or SEA in connection with an IFAD-funded or-managed activity or operation. To this end, external individuals including beneficiaries may rely on the Ethics Office and/or Office of Audit and Oversight hotlines and confidential email addresses posted on IFAD's internet website and also use the Social Environment and Climate Assessment Procedures (SECAP) complaint mechanism which is made available to the public. Any complaints of sexual harassment and/or SEA received through SECAP are forwarded to the Ethics Office for further action. Existing reporting channels are monitored on a regular basis and strengthened where appropriate.

16. IFAD, through its Ethics Office, appoints and trains dedicated senior focal points in its offices and hubs to receive allegations of SEA in relation to IFAD-funded projects in the field in the languages of the Fund and local languages.

17. IFAD staff and any individual holding a work contract with IFAD report their allegations, observations or suspicions regarding potential acts of sexual harassment and/or SEA to the Ethics Office or the Office of Audit and Oversight. External parties, including potential victims of sexual harassment and/or SEA, are encouraged to report their allegations, observations or suspicions through the Ethics Hotline and confidential email address, where they can also receive confidential advice.

18. Reports of sexual harassment and SEA may be filed anonymously. "Anonymity" means that reporting parties do not provide their names. Where a report is filed anonymously, the reporting party is encouraged to at least provide an email address or phone number for potential follow-up questions.

19. All reports of sexual harassment and SEA are treated with strict confidentiality. "Strict confidentiality" means that the identity of the reporting party will not be disclosed to anybody outside of the Ethics Office and the Office of Audit and Oversight, unless the reporting party consents to disclosure or where allegations were made in bad faith or where disclosure is deemed necessary by IFAD to fulfill due process requirements in the investigation process or when there is a clear and imminent danger to the life or health of a person.

20. IFAD ensures a prompt response to all reported allegations of sexual harassment and SEA. The Ethics Office reviews and monitors reported allegations of sexual harassment or SEA. Upon receipt of an allegation, the Ethics Office conducts a preliminary assessment of

the allegation. If this assessment shows prima facie elements of unacceptable behaviour including sexual harassment and/or SEA that merits further proceedings, the Ethics Office refers the matter to the Office of Audit and Oversight, which is the authority in IFAD entrusted with investigative functions.

21. During an initial review, the Ethics Office may recommend to the President interim measures to protect a whistleblower from retaliation. Similarly, upon recommendation from the Ethics Office, the Office of Audit and Oversight and the Human Resources Division, the President may take interim measures to protect staff members, individuals holding a work contract with IFAD or beneficiaries.

22. IFAD recognizes that reporting allegations of sexual harassment and/or SEA can be difficult. Persons who have in good faith reported allegations of sexual harassment and/or SEA or cooperated with a sexual harassment and/or SEA investigation may seek protection under IFAD's Whistleblower Protection Procedures.

2. Establish and maintain an appropriate response mechanism

a) Investigations

23. The Office of Audit and Oversight is responsible for reviewing and investigating allegations of sexual harassment and SEA. Cases involving allegations of sexual harassment and SEA are considered high-priority cases.

24. The Office of Audit and Oversight conducts its investigations in line with best practices for sexual harassment and SEA investigations and is sensitive to the delicate nature of the allegations. Where appropriate, the Office of Audit and Oversight may hire external experts to assist in the investigation and/or liaise with local authorities.

25. IFAD staff and any individuals holding a work contract with IFAD have a duty to cooperate unreservedly with any review or investigation of allegations of sexual harassment and/or SEA and shall respond promptly and fully to requests for information. IFAD staff and other individuals holding a work contract with IFAD are expected to provide any additional relevant information that might be unknown to the Office of Audit and Oversight, whether or not requested to do so. A failure to cooperate with an investigation may constitute misconduct.

26. IFAD staff and individuals holding a work contract with IFAD who are under investigation for potential sexual harassment and/or SEA may be temporarily removed from their position, pending the investigation.

27. Upon closure of an investigation, the Office of Audit and Oversight issues a final report to the President, explaining its findings and conclusions. If any allegations are substantiated, the matter is referred to the Sanctions Committee for review of the matter in accordance with the applicable disciplinary proceedings.

b) Disciplinary measures against IFAD staff and other individuals holding a work contract with IFAD

28. Disciplinary measures are applied to IFAD staff who are found to have engaged in acts of sexual harassment and/or SEA at IFAD or in connection with an IFAD-funded or -managed activity or operation. Acts of sexual harassment and SEA are considered serious misconduct and can be grounds for summary dismissal.

29. Sanctions, such as immediate termination of contract and debarment, are imposed by the Sanctions Committee against individuals holding a work contract with IFAD who are found to have engaged in acts of sexual harassment and/or SEA.

30. Disciplinary measures or sanctions are also applied to IFAD staff and any individual holding a work contract with IFAD who fails to report acts of sexual harassment or SEA in a timely manner or who encourages or condones acts of sexual harassment or SEA at IFAD or in connection with an IFAD-funded or -managed activity or operation.

31. Disciplinary measures or sanctions are further applied to IFAD staff and any individual holding a work contract with IFAD who knowingly makes a false report of sexual harassment and/or SEA with an intent to harm the reputation of another person or of IFAD.

32. Where IFAD has reason to believe that laws of a country may have been violated, the President may decide to refer matters involving substantiated acts of sexual harassment and/or SEA to national authorities for purposes of criminal proceedings, as appropriate. In this

context, the President may decide to waive the functional immunities of the implicated staff member or other persons or records relevant to the investigation.

c) Measures regarding the conduct of project staff and third parties in IFAD-funded operations

33. IFAD ensures to reflect its no-tolerance policy towards sexual harassment and SEA in its activities and operations. To this end, Recipients of IFAD funding are expected to immediately inform IFAD of any allegations of sexual harassment and/or SEA they receive in connection with an IFAD-funded or -managed activity or operation. Where IFAD has received credible allegations that project staff may have engaged in such misconduct in connection with an IFAD-funded or -managed activity or operation, IFAD may take appropriate

measures including request the immediate removal of persons from any IFAD-funded or -managed activities or operations, pending further action. In such cases, IFAD may also request that investigation by national authorities take place for purposes of criminal proceedings.

34. IFAD requires Recipients of IFAD funding to include, in all contracts with project staff, contractors, suppliers and other third parties to be funded with IFAD funds: (i) provisions prohibiting acts of sexual harassment and SEA, (ii) provisions establishing an obligation to immediately report to IFAD or the Recipient incidents of sexual harassment and/or SEA in IFAD-funded or -managed activities or operations, and (iii) provisions allowing for the immediate termination of contract based on proven acts of sexual harassment and/or SEA in connection with IFAD-funded or -managed activities or operations.

d) Measures regarding the conduct of suppliers in commercial contracts with IFAD

35. IFAD ensures that all its commercial contracts include: (i) a clear prohibition of sexual harassment and SEA, (ii) disclosure requirements regarding previous convictions, disciplinary measures, sanctions or investigations regarding sexual harassment and SEA, (iii) a duty to immediately report incidents of sexual harassment and SEA in relation with the activities funded by the contract with IFAD, and (iv) grounds for immediate termination of contract based on proven acts of sexual harassment and/or SEA in connection with the contract with IFAD.

3. Prevention and monitoring

a) Outreach and communication

36. IFAD ensures robust communications to support effective implementation of this Policy across the Fund and in its activities and operations and to raise awareness of the issue of sexual harassment and SEA and its potential impact on IFAD's development mandate.

37. The outreach and communication efforts are monitored and shall ensure that sexual harassment and SEA materials are distributed at all levels of the Organization, that materials informing representatives of recipients of IFAD funding, including project staff, third parties implementing IFAD-funded or -managed activities or operations, and beneficiary communities are distributed, and that appropriate tools and channels are used for awareness raising on the issue of sexual harassment and SEA.

38. IFAD may liaise with other International Organizations, think tanks, government agencies and not-for-profit organizations to jointly work on the prevention and response to sexual harassment and SEA in rural development. In particular, IFAD works to build commitment among its partners at all levels, including local governments and cofinancing institutions, to protect vulnerable persons from sexual harassment and SEA-related risks in the development context.

b) Due diligence and background checks

39. No offer of appointment shall be made to any applicant who seeks to work for IFAD before an appropriate background check has been completed. This background check includes questions regarding criminal convictions, disciplinary measures, sanctions or investigations relating

to sexual harassment and SEA. IFAD reserves the right to withdraw any offer of employment or to terminate any contractual engagement if an applicant is found to have provided untruthful information concerning any condemnation regarding acts of sexual harassment

and/or SEA.

40. IFAD maintains a record of IFAD staff and other individuals who held work contracts with IFAD who were found to have engaged in acts of sexual harassment and/or SEA in relation with their work for IFAD. IFAD also maintains a record of IFAD staff and other individuals who held a work contract with IFAD who have been convicted of acts of sexual harassment and/or SEA by national authorities or who have received a disciplinary measure or sanction for acts of sexual harassment and/or SEA by another International Organization. IFAD may disclose information about acts of sexual harassment and/or SEA on record if so requested by another United Nations agency or by a third party in a selection process.

41. IFAD incorporates in its due diligence of Vendors background checks and disclosure requirements regarding criminal convictions, disciplinary measures, sanctions and investigations relating to sexual harassment and SEA of their personnel and sub-contractors.

c) Trainings and workshops

42. The Ethics Office has strengthened its anti-harassment training programme and developed a mandatory e-training specific module on the issue of SEA to be completed by all IFAD staff and individuals holding a work contract with IFAD. SEA training is also an integral part of IFAD's Operations Academy programme.

43. Specific workshops and other awareness-raising events are organized periodically internally in IFAD as well as for project staff, third parties implementing IFAD-funded or -managed activities and operations, and beneficiary communities.

d) SEA risk assessment in project design and supervision missions

44. Social, environmental and climate risk assessments are conducted for each IFAD-funded project at an early stage of design and include a SEA risk assessment. This risk assessment identifies the potential SEA risks associated with the project, determines relevant measures to avert the risks, and identifies service providers for victims of SEA. Additionally, SEA-related issues are included in supervision and support missions.

4. Support to affected persons

45. Affected persons can seek support from the Ethics Office, human resources officers, supervisors/managers, the Staff Counsellor, a qualified psychologist, and staff representatives of the Executive Committee of the IFAD Staff Association. In addition, they may be supported by someone of their own choice throughout the internal processes.

46. With respect to beneficiaries who are victims of SEA, and in line with the General Assembly Resolution (A/RES/62/214) on the "United Nations Comprehensive Strategy on Assistance and Support to Victims of Sexual Exploitation and Abuse by United Nations Staff and Related Personnel", support to the victims is provided through existing services, programmes and their networks.

