

EITI ASSOCIATION CODE OF CONDUCT

On 5 December 2022, the EITI Board decided on the following **revised** EITI Association Code of Conduct.

1. Scope

All EITI Board Members, their alternates, the EITI Chair, Members of the EITI Association, secretariat staff (national and international), and members of EITI multi-stakeholder groups (below referred to as “EITI Office Holders”) shall abide by this Code of Conduct.

2. Personal behaviour, integrity and values

EITI Office Holders shall observe the highest standards of integrity and ethical conduct and shall act with honesty and propriety. The personal and professional conduct of EITI Office Holders should, at all times, command respect and confidence in their status as Office Holders of an association that promotes an international standard for transparency and accountability and should contribute to the good governance of the EITI.

EITI Office Holders should dedicate themselves to be leading by example and should represent the EITI in good faith and with honesty, integrity, due diligence and reasonable competence in a manner that preserves and enhances public confidence in their integrity and the integrity of the EITI, and ensuring that his or her association with the EITI remains in good standing at all times.

Recognizing the often dual role of EITI Office Holders to represent the EITI as well as the respective interests of government, industry and civil society, and recognizing the importance of informed public debate on extractives governance, Office Holders should refrain from conduct, including lobbying activity, in breach of Article 3 below. “Lobbying activity” includes activities

carried out with the objective of directly or indirectly influencing the formulation or implementation of public policy and the decision-making processes of national governments.

3. Compliance

EITI Office Holders shall discharge their duties to the EITI in compliance with applicable national laws and regulations and in line with the EITI Articles of Association, EITI Principles, EITI Standard and EITI Policies.

4. Respect for others

EITI Office Holders will respect the dignity, EITI-related needs and private lives of others and exercise proper authority and good judgment in their dealings with colleagues, members of the other EITI bodies, staff members, the general public and anyone whom they come in contact with during the discharge of their duties to the EITI.

5. Professionalism

EITI Office Holders should perform his or her assigned duties in a professional and timely manner and should use his or her best efforts to regularly participate in professional development activities to support discharge of their duties to the EITI.

6. Diversity and Inclusion

EITI Office Holders shall not engage in or facilitate any discriminatory or harassing behaviour directed toward anyone whom they come in contact with during the discharge of their duties to the EITI. EITI Office Holders shall actively support diversity and inclusion during the discharge of their duties to the EITI.

7. Confidentiality

EITI Office Holders shall not use any information that is provided in his or her role as EITI Office Holder and which is not already in the public domain in any manner other than in furtherance of his or her duties to the EITI. EITI Office Holders shall respect confidentiality as set out in the EITI Openness Policy and the EITI Observer Policy for EITI committees. EITI Office Holders continue to be bound by this obligation for two years after termination of their mandate, unless a different timeframe is agreed by the EITI Board.

8. Expenditure of EITI resources and use of EITI property

EITI Office Holders shall respect the principle of value-for-money and be responsible in the use of funds dedicated to the EITI. No EITI Office Holder shall misuse EITI property or resources and will at all times keep EITI property secure and not allow any person not appropriately authorised to have or use such property.

EITI Office Holders shall only bill at actual cost travel, operational or other costs related to the

fulfilment of duty as an EITI Office Holder. Billing at actual costs is preferred to per diems. EITI Office Holders shall provide goods or services to the EITI as a paid vendor to the EITI only after full disclosure to, and advance approval by the EITI Board or relevant EITI multi-stakeholder group.

9. Conflict of interest and abuse of position

EITI Office Holders shall at all times act in the best interest of the EITI and not for interests such as personal and private benefits or financial enrichment.

EITI Office Holders shall avoid conflicts of private interest. For the purposes of this code, a conflict of interest is a situation or circumstance in which interests of EITI Office Holders influence or may influence the objective and impartial performance of their official EITI duties. In this regard, private interests include any advantage for themselves, their families or personal acquaintances.

EITI Office Holders finding themselves in such a situation must recuse themselves and inform the EITI Board or relevant multi-stakeholder group of such recusal. For EITI Board Members the rules established in Article 5.6 of the EITI Board Manual apply.

Specifically, EITI Office Holders shall follow these guidelines:

- Avoid placing (and avoid the appearance of placing) one's own self-interest above that of the EITI; while the receipt of incidental personal or third-party benefit may necessarily flow from certain EITI-related activities, such benefit must be merely incidental to the primary benefit to the EITI and the objective of the EITI. Any per diems set, paid or obtained should be based on reasonable actual costs.ⁱ
- Refrain from overstepping the conferred powers. EITI Office Holders shall not abuse the EITI office by improperly using the EITI Association or the EITI's staff, services, equipment, resources, or property for personal or third-party gain or pleasure; EITI Office Holders shall not represent to third parties that their authority as an EITI Office Holder extends any further than that which it actually extends.
- Do not engage in any outside personal activities that could, directly or indirectly, materially adversely affect the EITI.

10. Gifts, trips and entertainment

EITI Office Holders shall not solicit or accept gifts, gratuities, free trips, honoraria, personal property, or any other item of value from any person or entity that are intended to be, or that can reasonably be perceived to be, a direct or indirect inducement to provide special treatment to

ⁱ In establishing reasonable actual costs and good international practice, stakeholder may wish to consult the practices of the International Secretariat. When the Secretariat provides per diems (which it does not do to its staff), it often follows US Department of State's foreign per diem rates (https://aoprals.state.gov/content.asp?content_id=184&menu_id=78). In establishing per diems, national laws and regulations should of course be adhered to.

such donor with respect to matters pertaining to the EITI.

Any offering or receiving of gifts, free trips or other compensation over the value of USD 100 directly or indirectly related to the discharge of EITI responsibilities should be declared to the EITI International Secretariat which will consider what further actions should be taken. . Any gifts considered excessive should be refused. In case of doubt whether a gift is excessive, the EITI Office Holder should comply with EITI Policies, including the EITI Anti-Bribery and Anti-Corruption Compliance Policy, and consult with the EITI International Secretariat or relevant multi-stakeholder group. Should it be inappropriate to refuse an offering, notably because such refusal could prove embarrassing to the donor, the gift is to be surrendered to the EITI International Secretariat or the relevant multi-stakeholder group.

11. Implementation

The EITI Board, multi-stakeholder groups, international and national secretariats are responsible for making EITI Office Holders familiar with this Code of Conduct and for providing advice and, if required, training on the interpretation and implementation thereof. Those, including multi-stakeholder groups, responsible for making the EITI Office Holders familiar with this Code of Conduct should annually confirm that EITI Office Holders are familiar with the Code of Conduct and report on its implementation to the EITI Board through the EITI International Secretariat.

12. Reporting

EITI Office Holders or other stakeholders with a concern related to the interpretation, implementation or potential violation of this Code of Conduct shall bring such issues to the attention of the immediate EITI body in accordance with the EITI Policy on Voicing Concerns. Where matters are brought to the attention of the EITI Board in accordance with the Policy on Voicing Concerns, the Board will consider the circumstances and consider whether action is necessary in accordance with the EITI Articles of Association, EITI Principles, EITI Standard and EITI policies. Anybody who is uncomfortable to raise any such issues with the immediate EITI body may bring their concerns to the attention to the EITI Board through its Governance and Oversight Committee and its chair, in line with the EITI Policy on Voicing Concerns.