



ETHICAL CODE OF THE SPANISH AGENCY FOR INTERNATIONAL DEVELOPMENT COOPERATION (AECID)

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The Spanish Agency for International Development Cooperation (hereinafter AECID or the Agency), created to promote, manage and implement public policy on development cooperation, with the aim of fighting poverty and achieving sustainable human development, demands from its employees, in addition to professionalism and accountability in its daily management, high standards of ethical conduct that ensure full respect for human rights, diversity and equal opportunities.

Thus, AECID, which can be held accountable for its acts at any time, undertakes to ensure that its actions are guided by the principles of ethics and conduct that constitute its Ethical Code, which in some cases are not expressly stated in its rules but which derive from them.

This Ethical Code represents a continuance of that adopted by AECID's Governing Board on 10 June 2011, and assumes the same principles and values. In addition, it sets out, in an orderly, unified manner, AECID's commitment to Sustainable Development Goal (SDG) 16 of the 2030 Agenda, whose target 16.6. calls for the building of effective, accountable and transparent institutions.

The Ethical Code is designed to complement, not replace, the obligations, mandates and recommendations set forth in the Consolidated Text of the Act on the Basic Statute for Public Employees (EBEP, its Spanish acronym), approved by Royal Legislative Decree 5/2015 of 30 October; the legislation on activities classified as incompatible with public service duties; and other applicable provisions, in particular Act 19/2013 of 9 December, on transparency, access to public information and good governance.

Its purpose is essentially preventive, by clarifying the conduct expected of all those who work for the Agency. To this end, it seeks to strengthen a culture of integrity and efficiency.

An Ethics Committee has been created to ensure that the Code does not merely serve as an unenforceable declaration of principles, without any monitoring or oversight mechanisms. In addition to addressing ethical dilemmas and complaints, this Committee shall be responsible for the safeguarding and compliance of the principles declared. The Agency shall also receive external ethics advice from a service without any hierarchical links with AECID staff, as an additional guarantee of impartiality and objectivity.

The Code also establishes a system of prevention and dissemination of institutional integrity that seeks to raise awareness of the Code's objectives through training.

In short, this Code represents a step forward towards developing a system for institutional integrity at AECID, in line with the recommendations of the Organisation for Economic Co-operation and Development (OECD), for the purpose of building a culture of ethical conduct that legitimizes AECID's actions in the eyes of the society to which it is accountable.



I. GENERAL PROVISIONS

1.1 Purpose of the Ethical Code

This Code states the ethical principles that must govern AECID's actions, specifies the guidelines for conduct to be observed by its intended recipients, and outlines the ethical rules for resolving ethical doubts or conflicts. The Code also regulates a monitoring and oversight system to ensure its effectiveness.

1.2 Scope of application

All AECID staff, whether management or public employees, and regardless of whether they render their services in Spain or abroad, must respect this Ethical Code. For the purposes of this Code, a public employee of AECID is considered to be any person who works for the Agency, whether they are a career or interim civil servant, permanent or temporary hired staff, or interim staff.

The Code shall also apply to those who have been awarded a scholarship during their period of training at AECID.

It shall also apply to those hired to carry out consultancy and advisory tasks and to any other persons who have a professional relationship with AECID during the period in which they are linked to the Agency.

Public or private entities and their staff, as well as individuals who are the beneficiaries of grants and aid from AECID, or who enter into contracts with AECID, shall be informed of the ethical principles of action set out under Title II of this Ethical Code and shall express their commitment to respecting it.

This Ethical Code shall be adhered to while fully respecting Spanish law.

1.3 Legal status

This Code sets out the binding ethical principles and guidelines for conduct for the professional activity of those who fall within its scope of application.

This Ethical Code lacks any disciplinary content applicable to those who fall within its scope of application. However, it does include suggestions, observations and recommendations, having been designed to serve as a flexible instrument, open to greater ethical demands.

In the event that the conduct, behaviour or inaction of a party falling within its scope of application could give rise to disciplinary responsibilities, the matter shall be referred to the competent body to assess whether or not to initiate the relevant disciplinary proceedings.

Any accusations deemed malicious or fraudulent by the Ethics Committee may give rise to the exercise of disciplinary authority by the competent body.



II. ETHICAL PRINCIPLES AND GUIDELINES FOR CONDUCT

2.1 AECID's Ethical principles

The ethical principles guiding AECID's activity for the purpose of achieving excellent, effective and ethical cooperation work are respect, integrity, responsibility, professionalism and commitment, dialogue and participation, transparency and accountability. AECID, its staff, and all those who fall within the Ethical Code's scope of application undertake to respect and apply these ethical principles:

2.1.1 Respect:

- a) Treat everyone with dignity and consideration, always respecting their labour rights.
- b) Avoid any discrimination on the grounds of race, sex, nationality, religion or preference.
- c) Show respect for the ideas, beliefs, sexual orientation, and customs of others.
- d) Promote and collaborate with policies that guarantee effective gender equality.
- e) Promote and collaborate with inclusive policies.

2.1.2 Integrity:

- a) Focus work on the fight against poverty, adopting the SDGs as values that inspire AECID's activity.
- b) Act with objectivity, impartiality, equity and good faith.
- c) Disregard any personal or other interest that contradicts the foregoing mandate.
- d) Report all conflicts of interest.
- e) Use public resources only for the established purposes, avoiding any use thereof for personal gain or other ends.

2.1.3 Responsibility:

- a) Respect the legislation in force.
- b) Avoid all unlawful situations, including collaboration in any such activity.
- c) Assume responsibility for the implications of their own work and of belonging to AECID.
- d) Accept that the legitimacy of their own work depends both on what is done and on how it is done.
- e) Act honestly and in an exemplary manner in the exercise of their duties and in full awareness of the fact that they are employing public funds and resources.
- f) Take into account the consequences of their actions and decisions on third parties, especially the most vulnerable.
- g) Recognize what mistakes have been made, resolve them and prevent their repetition.

2.1.4 Professionalism and commitment:



- a) Accept that dedication, engagement and commitment to quality are inherent characteristics of the job.
- b) Improve their professional knowledge and skills, participating in training activities.
- c) Seek professional excellence and commitment to the organization.
- d) Preserve institutional loyalty.

2.1.5 Dialogue and participation:

- a) Work as a team and share their knowledge with the organization.
- b) Recognize the right of every person to give their views on matters affecting them.
- c) Listen to all those affected by their actions and decisions.
- d) Create an environment for fruitful dialogue.
- e) Encourage the effective participation of all those concerned in the decisions and actions taken.
- f) Avoid any attitude of superiority towards third parties with whom AECID has contact.

2.1.6 Transparency and accountability:

- a) Ensure effective compliance with the principle of active publicity in order to guarantee transparency in their respective management areas.
- b) Promote effective citizen access to public information.
- c) Respond diligently to requests for information.
- d) Substantiate action outcomes and the criteria applied in decision-making truthfully, objectively and comprehensively.
- e) Constructively evaluate the organization's activity.

2.2 Guidelines for conduct in professional relations

2.2.1 Basic guidelines for conduct:

- a) Fulfil at all times the objective of serving citizens.
- b) Not discriminate against others on the grounds of gender, race, beliefs, nationality, sexual orientation or any other personal or social condition or circumstance.
- c) Act with due diligence and always in AECID's interests.
- d) Not use their post at AECID to pursue personal interests.

2.2.2 Guidelines regarding relations with the beneficiaries of AECID's work, especially with the most vulnerable groups:

- a) Respond to beneficiaries' demands and requests.
- b) Respect beneficiaries' autonomy and dignity, especially their personal, cultural and social circumstances.
- c) Protect social groups in particularly vulnerable positions.



- d) Act with particular care, understanding and sensitivity when their acts or decisions could affect a group in a vulnerable situation or especially at risk.
- e) Treat with confidentiality all data relating to individuals, especially in the event that they are being or have been subjected to a situation of abuse, mistreatment or discrimination.

2.2.3 Guidelines for relations with partners in countries where AECID is active:

- a) Respect their leadership role.
- b) Provide the information necessary for responsible cooperation and effective accountability.
- c) Build mutual trust, understanding that the partnership is based on the principles of mutual commitment, co-responsibility and equality, avoiding paternalism.
- d) Act impartially and transparently in the distribution of funds and resources.

2.2.4 Guidelines with respect to other actors: entities, associations and collaborating companies:

- a) Facilitate communication between actors and encourage joint actions.
- b) Provide information on topics of common interest.
- c) Loyal build a relationship of mutual trust with all collaborating persons and entities.
- d) Encourage collaborative work, especially with regard to sharing the necessary information.
- e) Continuously demonstrate the highest level of personal and professional integrity.

2.2.5 Guidelines regarding relations with co-workers:

- a) Respect personal freedom.
- b) Treat colleagues with respect, promoting cordial relations.
- c) Promote a professionally supportive work environment.
- d) Encourage dialogue and teamwork.
- e) Work collaboratively, sharing information and facilitating that which is required to meet AECID's goals.

2.2.6 Guidelines for relations with AECID:

- a) Carry out their tasks with honesty, professionalism and responsibility.
- b) Act efficiently, keeping their professional skills up to date.
- c) Promote AECID's excellence through the professional development of the skills relevant to their post.
- d) Embrace innovation as core to professional practice.
- e) Participate actively in AECID's day-to-day, suggesting initiatives for institutional improvement.
- f) Protect AECID's interests over and above partisan and/or personal interests.



- g) Use the AECID resources made available to them in a responsible and sustainable manner.
- h) Report acts of non-compliance or inappropriate conduct that generates mistrust or bad practices.
- i) Be familiar with the content of this Ethical Code and contribute to the fulfilment of its objectives.

III. ETHICAL STANDARDS OF ACTION

3.1 Respect for the law

AECID staff shall ensure the lawfulness of all administrative procedures carried out to execute programmes under their purview.

AECID staff members shall immediately report illegal conduct related to money laundering, financing of criminal organizations, extortion, or any other fraudulent activity. In addition, any situation of sexual exploitation, abuse, sexual harassment, inhuman or degrading treatment or modern forms of slavery shall be reported immediately.

Abroad, the regulations applicable in each country shall be respected, as well as Spanish regulations when applicable.

Should any problems of compatibility arise between the ethical standards set out in this Code and the legal rules or customs of the country in which AECID is operating, the appropriate advice provided for in this Code shall be sought.

3.2 AECID's management staff

All AECID staff members shall be exemplary in the exercise of their duties and shall therefore avoid any action or omission that contravenes the Ethical Code, especially if it could damage the prestige or institutional image of AECID.

AECID's management staff, both at its headquarters and abroad, shall be especially responsible for ensuring that the content of the Ethical Code is made known, and shall offer support, advice and assistance to all members of their respective teams in complying with it.

3.3 Decision-making procedures

AECID staff members shall, where appropriate, report any kind of interference or attempted improper influence that could affect their impartiality and professional objectivity in decision-making processes in which they are directly or indirectly involved.

AECID's decision-making procedures, especially those relating to the provision of goods or services and the awarding of grants, shall be transparent and respectful of the principles of the legal system and the Ethical Code.



Likewise, in all recruitment, selection and job creation procedures, respect for the principles of equality, merit and ability shall be guaranteed.

3.4 Conflicts of interest

AECID staff members shall declare any interest that could obstruct or hinder the proper exercise of their duties and shall take the necessary actions to resolve any conflicts of interest. AECID executives or employees shall be understood to be involved in a conflict of interest when a decision they are making could benefit or harm their personal interests.

AECID staff members shall refrain from participating in any matter that may be considered to involve personal interests that could be detrimental to public interests, or in which any other legally stipulated grounds for abstention or objection might exist. Staff members shall immediately report such situations should they arise.

In no case may a position at AECID or the contacts arising from working at the Agency be used for personal gain or advantage.

Any situation in which there are concerns regarding the possibility of such a conflict arising shall be reported to the Ethics Committee through the channel provided in section 3.7 of this Code. If such an interest is identified, the individual shall not participate in making the corresponding decisions.

In all of AECID's decision-making processes, its staff members shall declare any type of family or personal relationship that could cause any kind of harm or induce third parties to think that this could occur. In the event that such a relationship precludes an objective and impartial approach to decision-making processes, those involved shall abstain from such processes immediately. Any doubts regarding the possible implications of such relationships for decision-making processes should be referred to the Ethics Committee, through the means provided in this Code, so that it may establish the most appropriate course of action.

If the private relationships of AECID staff members could generate conflicts of interest with the institution's activity, the Ethics Committee shall be informed through the means provided. This information shall be treated in a particularly confidential manner.

The undertaking of professional activities outside AECID is permitted provided that the legislation in force is respected and the activities do not affect the functioning or reputation of the Agency, and are unlikely to generate conflicts of interest.

3.5 Use of information

Pursuant to current legislation, AECID staff members shall treat as confidential any internal information to which they become privy in the exercise of their duties. . In particular, they shall avoid using, transmitting, confirming or allowing access to information relating to third parties or to a specific decision-making process that could affect or influence said process or said third parties' relationship with the Agency.



Pursuant to applicable regulations, the duty of confidentiality shall continue, even when services have ceased to be provided at or for AECID.

AECID and its staff shall adopt the necessary measures to ensure the total security of their IT resources, pursuant to the provisions of the National Security Scheme and other legally applicable regulations in this area.

AECID staff shall uphold the established security standards and report any cybersecurity problems that may arise.

3.6 Gifts, benefits and other advantages

AECID staff shall not offer, solicit, or accept any gifts or benefits, whether directly or indirectly. This ban is understood to encompass all benefits beyond those to which they are entitled as remuneration for the services or tasks performed, and which entail an economic, legal, or professional advantage. This includes, but is not limited to, gifts, travel, loans of vehicles, tickets for shows, invitations or other types of incentives that could be intended to compromise the objectivity of a staff member or a third party or influence the decision-making process in which the staff member is involved.

The foregoing rule does not apply to customary courtesy gifts which cannot be construed as dishonest or improper. Gifts or benefits with an estimated value of less than €75 shall be considered as such.

When the customs of a country could lead to the rejection or return of one of these benefits being interpreted as a discourtesy, it may be accepted provided that the staff member's line manager is duly informed and authorizes acceptance of the gift and there is evidence that the gift or benefit shall be allocated, preferably, to purposes related to the Agency's work.

It shall be unacceptable for any institution or company other than AECID to defray the travel and living expenses of its staff members, unless they are included in the scope of a work or collaboration agreement.

3.7 Guaranteed information

All AECID staff shall be provided with the necessary means to exercise their right to report any illegal or improper conduct pursuant to the procedures set out in this Code, without prejudice to any complaints or lawsuits they may bring before other administrative or jurisdictional bodies.

To this end, a channel shall be set up through which AECID staff, both at the Agency's headquarters and abroad, may lodge complaints or send messages to the Ethics Committee. This channel shall ensure the confidentiality of the data of both the reporting and the reported party, shall comply with data protection regulations and shall enable anonymous complaints

Those who report illegal or improper conduct on the part of staff members bound by the Code shall receive the maximum protection from AECID's management or from the



various bodies provided for herein to ensure compliance with the Code. In particular, the confidentiality of their identity shall be guaranteed and any retaliation, harassment or action against them shall be prevented.

3.8 AECID resources and property

AECID staff shall use the assets and resources made available to them in a responsible manner. AECID's assets and resources shall not be used for private purposes or for purposes other than those of the Agency.

All IT material and resources made available to staff shall be used carefully and respectfully, pursuant to the law and to safety and environmental standards.

The inappropriate use of AECID hardware, software, internet and email shall be avoided.

3.9 Prestige and good reputation of AECID

AECID staff shall always strive to convey a positive image of AECID. Trust in AECID is obtained through transparent and truthful communication of the work it does.

AECID staff shall not behave, at work or elsewhere, in a manner that could damage the Agency's reputation.

Agency staff with social network accounts shall act prudently and avoid disclosing corporate information that is not public information, unless authorized to do so.

AECID staff shall always act in a manner that guarantees impartiality.

Any situation or data of staff in AECID's service that could seriously and negatively affect the Agency's prestige or reputation shall be reported to the Ethics Committee. This information, which shall be treated with absolute confidentiality and exclusively to prevent negative impacts on the Agency, shall be submitted to the Ethics Committee through the channel provided in section 3.7 of this Code.

3.10. Public statements

AECID staff, when making public statements, shall avoid compromising the Agency's position. To this end, they shall explicitly state that their personal opinions do not reflect those of AECID.

Only authorized AECID staff shall make public statements expressing the position of the Agency.

AECID staff members fully enjoy their right to freedom of expression, but must avoid purely destructive criticism of its activities and seek to maintain full respect for the good name and prestige of AECID in their statements.

AECID staff shall also refrain from making defamatory or derisive comments about AECID's activity and staff members, or about the entities and individuals that collaborate with the Agency.



IV. GUARANTEES OF COMPLIANCE WITH THE ETHICAL CODE

4.1 Ethical Code guarantee: general principles

It is the responsibility of all AECID staff members to comply with and observe the Ethical Code. Non-compliance with the Code shall be evaluated by the Agency's management, who shall adopt the measures they deem appropriate in each case, including disciplinary measures, pursuant to the law.

Staff members must submit their written acceptance of the Ethical Code within six months of joining AECID, and an acceptance clause shall be included in all new employment contracts.

Compliance with the Ethical Code of Conduct is guaranteed at three basic levels: AECID's management, the Ethics Committee and the external ethics advisor.

AECID undertakes to establish the necessary mechanisms for the adequate dissemination, knowledge and application of the Ethical Code.

During the year following the adoption of the Code, the Agency shall organize an extensive process to disseminate its contents, which shall involve extensive staff participation in order to promote effective knowledge of the Code amongst staff members, as well as the channel established for queries and complaints regarding conduct contrary to this Code.

All AECID staff and collaborating individuals or entities must have in-depth knowledge of the Code and, to this end, ongoing training activities shall be organized.

AECID staff undertake to participate in training activities focused on knowledge and application of the Code. AECID shall offer an online training course, which must be taken by all new staff members within six months of joining the Agency

AECID shall ensure that the Code is accessible and for this purpose shall create documents and tools to make it easy to understand, as well as implementing tools for its continuous dissemination and updating.

4.2 AECID's management

AECID's management and executive staff members shall ensure that all staff have adequate knowledge of the Code and shall motivate and encourage compliance with the principles set forth herein.

Executive staff shall address their queries to the Ethics Committee or, where appropriate, to the external ethics adviser. Complaints about conduct contrary to this Code on the part of executive staff members shall be addressed to the Ethics Committee.



4.3 Ethics Committee

4.3.1 AECID's Ethics Committee is established as an advisory body whose purpose is to safeguard compliance with the provisions set forth herein. The Committee shall comprise five members, who must be selected to ensure a balanced participation by the different categories and types of Agency staff members, both at its headquarters and abroad:

- three members selected by AECID's Steering Committee, one of whom shall act as Chair, and one who must be a member of AECID's General Secretariat, who shall also act as Secretary
- two members proposed by the trade unions

The Ethics Committee must be created within a maximum of three months of the adoption of the Code; its members shall be appointed by AECID's management for a four-year period and may be re-elected only once.

Their work shall not be remunerated, except in respect of any expenses incurred. Should a member of the Committee stand down before the end of the four years, he or she shall automatically be replaced.

The members of the Ethics Committee shall maintain the secrecy of the information to which they have access in order to exercise their duties: facts examined, content of investigations and discussions and decisions taken. In addition, they shall uphold the duty of confidentiality of the personal data processed, continuing to observe said duty when they are no longer on the Committee. Upon receiving their appointment, each member of the Ethics Committee shall provide a signed declaration pledging to comply with this duty of discretion and confidentiality.

The Ethics Committee may request the advice of AECID's legal services when their opinion is necessary to the Committee's deliberations.

4.3.2 The duties of the Ethics Committee comprise:

- a) Proposing measures and actions to AECID's management that contribute to the promotion and consolidation of AECID's ethical culture
- b) Making recommendations to AECID's management regarding breaches of the Code, without prejudice to the investigation and disciplinary duties, where appropriate, of the corresponding body
- c) Resolving any concerns that may be raised by persons affected by the Ethical Code with respect to its interpretation and application
- d) Receiving complaints or reports and processing them as appropriate
- e) Preparing an annual report on compliance with the standards of conduct included in this Code
- f) Promoting programmes to disseminate standards of ethical conduct among AECID staff and collaborators, providing them with training on this matter



4.3.3 Without prejudice to the application of articles 15, 16, 17 and 18 on the functioning of the collegiate bodies of the public administrations of Act 40/2015 of 1 October, on the Legal System of Spain's Public Sector, the Ethics Committee shall meet at least twice a year. The meetings may be held face-to-face or online.

4.4 External ethics advice

4.4.1 AECID's management, after consulting with the members of the Ethics Committee, shall appoint an external ethics advisor. This external advisory work shall be entrusted to a person of recognized prestige and accredited experience in the field of ethics, who shall be selected with the collaboration of the Conference of Rectors of Spanish Universities (CRUE, its Spanish acronym).

4.4.2 The duties of the external ethics advisor comprise:

- a) Responding to queries from the Ethics Committee regarding the Ethical Code
- b) Supporting the Ethics Committee in the investigation of complaints
- c) Proposing to AECID's management the actions to be taken following an investigation into a violation of the Code
- d) Proposing to the Ethics Committee for their approval:
 - Materials for disseminating the standards of ethical conduct among AECID staff and collaborators
 - The training plan on compliance with the Code for AECID staff and collaborators
 - The annual report of their activities
 - Texts explaining the content and practical scope of the obligations and rights set forth in this Code
- e) Supporting the Ethics Committee in drafting and implementing the ethics training programme

4.5 Guarantee procedures of the Ethical Code

4.5.1 All AECID staff and persons in any way associated with AECID may make any queries with regard to their obligations and rights deriving from the Code, using the channel provided for that purpose in section 3.7 herein.

Queries shall be answered promptly and in all cases within one month of their receipt, except in exceptional or particularly complex circumstances.

Prior enquiries by AECID staff or third-party collaborators constitute proof of good faith and shall therefore not entail any negative consequences for them, provided that they act in accordance with the answer received.

For the purpose of safeguarding the identity of those who submit queries or requests to the Ethics Committee, the documents relating to the decisions adopted and published by the Ethics Committee shall not contain any personal data or characteristics or any other data enabling the identification of those making the query or request.

AECID's management shall ensure that the existence of this procedure is sufficiently publicized among the Agency's staff, collaborating entities and the general public.

4.5.2 Any person who becomes aware of a violation of the Ethical Code may report it to the Ethics Committee through the channel provided in section 3.7 of this Code.

For the investigation of violations of the Code, the Ethics Committee shall, if necessary, seek the advice of AECID's legal services, or of any other unit it deems appropriate, at the Agency's headquarters or abroad.

The investigation shall always guarantee the protection of the legal rights of those involved, and in particular, their right to give their version of the facts.

The investigation shall conclude with a proposal to AECID's management and, where appropriate, to the Ethics Committee, of the best course of action to address the violation of the Code which has occurred.

When the investigation finds evidence of a breach or of insufficient compliance with the standards of ethics and conduct set forth in this Code, the Ethics Committee shall make such recommendations to AECID's management as it deems appropriate regarding breaches of the Code, without prejudice to the duties corresponding to other bodies.

V. ENTRY INTO FORCE

This Ethical Code shall enter into force on the day following its adoption by the Governing Board.

VI. REVIEW

The Ethical Code shall be reviewed every two years following its adoption.