Content

→ Mitigation of conflict of interest

Mitigation of conflict of interest

Lines of Action Recommended

- **Clarity of concept**: Clearly define what constitutes a conflict of interest so employees can recognize it.

- **Institutional policies**: Establish formal policies that regulate the identification, declaration, and treatment of these conflicts.

- **Evaluation processes**: Implement mechanisms to assess the importance of detected conflicts.

- **Ethical and transparent management**: Address conflicts within ethical and transparency frameworks.

- **Disclosure and training**: Promote internal education and disclosure on the subject.

Mitigation of conflict of interest

- **Exclusive dedication**: Prevent public officials from having external activities that may interfere with their impartiality

- **Regulation and sanction systems**: Clear regulations, investigation processes, and administrative or criminal sanctions.

- **Early prevention and detection**: Tools to identify conflicts before they affect regulatory decisions.

Mitigation of conflict of interest

Conceptual Clarity

Defining clearly what constitutes a conflict of interest is crucial for employees to recognize and address them appropriately. Organizations should provide comprehensive definitions and examples to ensure that all personnel understand the concept.

Example: An aeronautical authority might define a conflict of interest as any situation where an employee's personal interests could improperly influence the performance of their official duties. This could include financial interests, family relationships, or other personal connections.

Mitigation of conflict of interest

Institutional Policies

Establishing formal policies that regulate the identification, declaration, and management of conflicts of interest is essential. These policies should outline the procedures for reporting conflicts and the steps to be taken to mitigate them.

Example: An aeronautical authority might implement a policy requiring all employees to disclose any potential conflicts of interest annually and whenever a new conflict arises. The policy could also specify the process for reviewing and addressing these disclosures.

Mitigation of conflict of interest

Evaluation Processes

Implementing mechanisms to evaluate the significance of identified conflicts of interest helps organizations determine the appropriate response. This may involve assessing the potential impact on decision-making and the organization's integrity.

Example: An aeronautical authority might establish a conflict of interest review committee responsible for evaluating disclosed conflicts and recommending actions to mitigate any potential impact. The committee could include representatives from different departments to ensure a balanced and objective assessment.

Mitigation of conflict of interest

Ethical and Transparent Management

Managing conflicts of interest within **ethical and transparent frameworks** is vital for maintaining public trust and organizational integrity. Organizations should ensure that all actions taken to address conflicts are documented and communicated openly.

Example: An aeronautical authority might adopt a policy of transparency by publicly disclosing the steps taken to manage significant conflicts of interest. This could include publishing summaries of conflict of interest reviews and the actions taken to mitigate any identified risks.

Mitigation of conflict of interest

Disclosure and Training

Promoting education and internal disclosure about conflicts of interest is essential for fostering a culture of integrity. Organizations should provide regular training on identifying, disclosing, and managing conflicts of interest.

Example: An aeronautical authority might conduct annual training sessions for all employees on the importance of disclosing conflicts of interest and the procedures for doing so. The training could include case studies and interactive scenarios to reinforce key concepts.

Mitigation of conflict of interest

Exclusive Dedication

To avoid conflicts of interest, **public officials in civil aviation authorities, should not engage in external activities** that could compromise their impartiality.

For example, an aviation safety inspector should not work as a consultant for an airline. This ensures that their decisions are made solely based on public interest without any undue influence from private entities.

Mitigation of conflict of interest

Regulation and Sanction Systems

Clear regulations should be established to define what constitutes a conflict of interest and the **consequences of violating these regulations**.

For instance, if a conflict of interest is identified, the official involved should be subject to disciplinary actions, which could range from warnings to termination of employment. This creates a deterrent effect and promotes adherence to ethical standards.
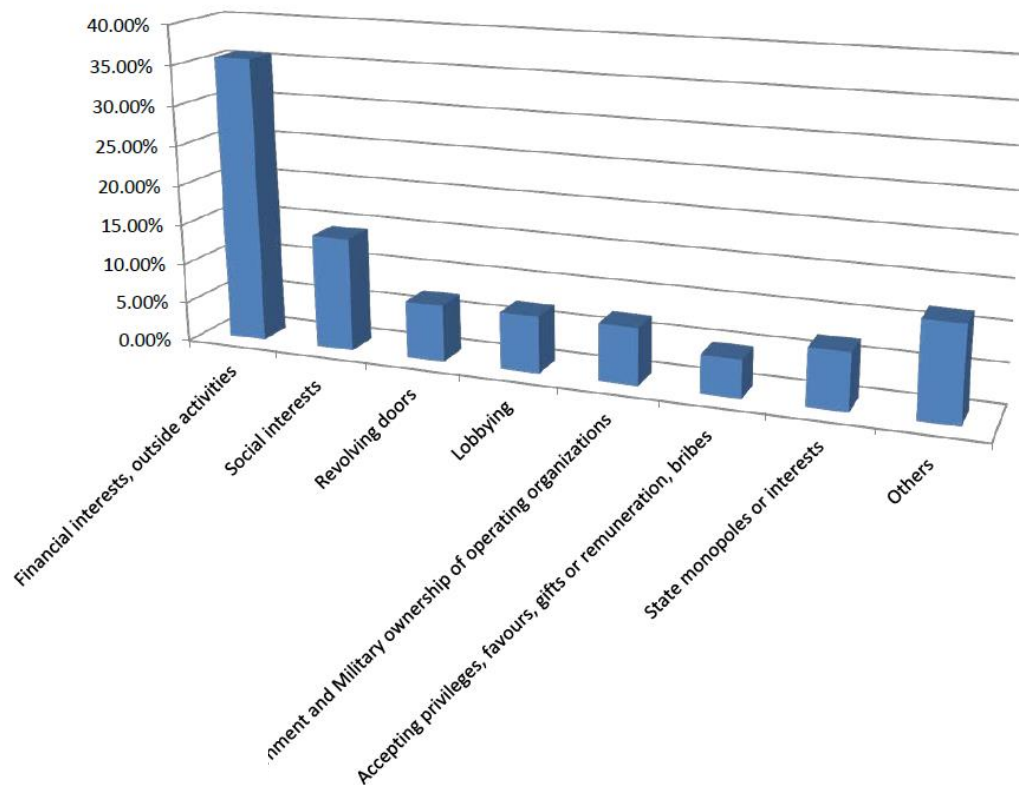
Mitigation of conflict of interest

Early Prevention and Detection

Implementing tools and procedures to **identify potential conflicts** of interest before they affect regulatory decisions is crucial.

For example, civil aviation authorities can require officials to submit regular declarations of their financial interests and affiliations. These declarations can then be reviewed to detect any potential conflicts early on, allowing for timely intervention and resolution.
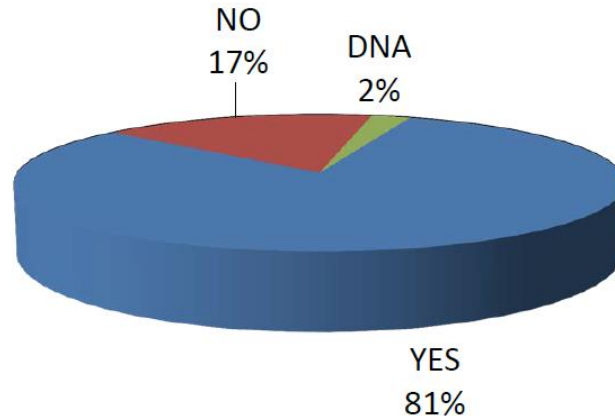
EASA

Mitigation of conflict of interest

What do you consider generally to be the three most prevalent forms of COI in your State ?

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Is the State involved in civil aviation activities of an operator or service provider ?

- NO 17%
- DNA 2%
- YES 81%

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Does the State use personnel from an air operator or service provider it regulates to carry out licensing, certification, approval or surveillance duties and responsibilities?
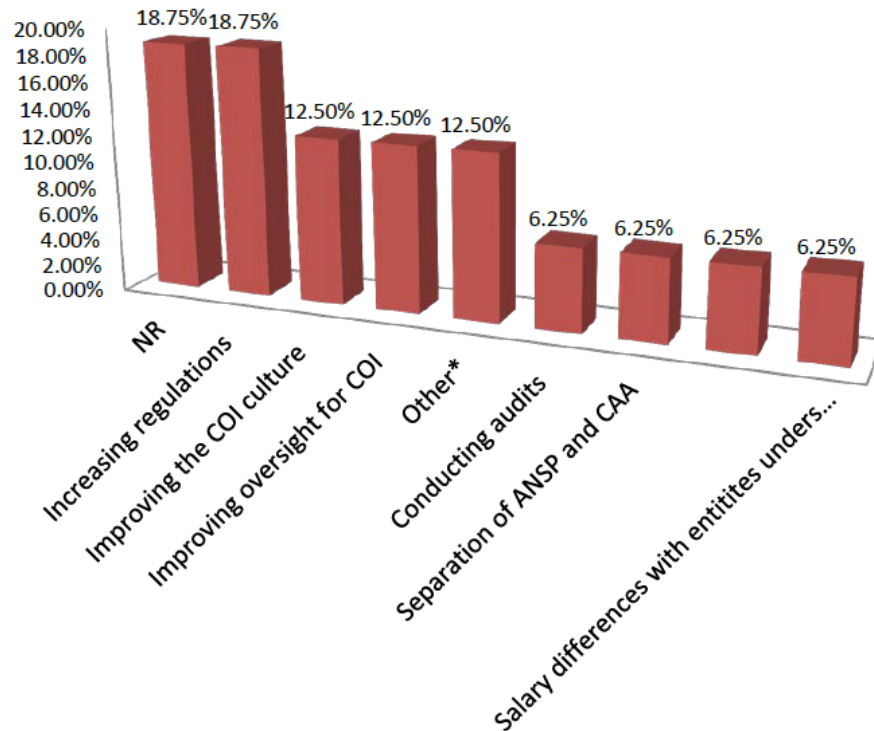

DNA 7%

NO 45%

YES 48%
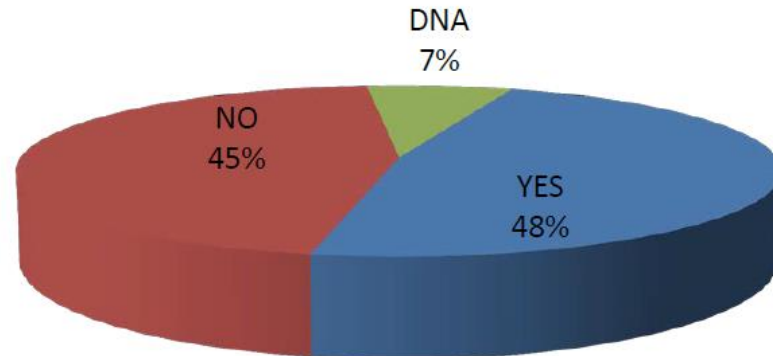
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Has the State established a legal and/or institutional framework for dealing generally with conflicts of interest (COI) ?

NO 5%

DNA 2%

YES 93%
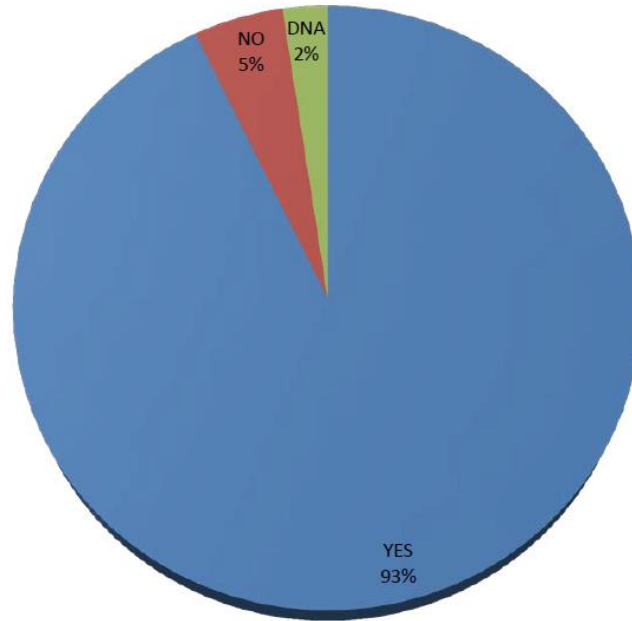
Mitigation of conflict of interest

What could be done to improve effectiveness?