Disclosure of Acts Related to Alleged Breach of the Code of Ethics by an Elected Officer, to the Attention of the Director of the Integrity and Anti-Corruption Department (PIAC), and the Chairpersons of the AUFI and Ethics Committees,

From a Group of Concerned Staff Members

January 2020

I/. INTRODUCTION

This contribution is made in accordance to the Whistle-blowing and Complaints Handling Policy of the African Development Bank which requires "Bank personnel[1] to disclose acts related to fraud, corruption, or any other misconduct that come to their attention", provided that there is a "reasonable belief that what is being reported is true." Allegations and concerns expressed anonymously shall be considered at the discretion of the Auditor General[2]. "The Bank will protect the Whistleblower's or Complainant's identity and person" and they will be protected against retaliation.

It is also made in compliance with Resolution of the Board of Governors B/BG/2008/11 regarding the Application of the Code of Conduct for Executive Directors of the African Development Bank to the President of the Bank Group. This resolution extends the coverage of the Code of Conduct to the President and states that "complaints or allegations relating to the violation by the President of the provisions of the Code of Conduct shall be submitted to the Ethics Committee either in person, through the chairperson of the Audit and Finance Committee or through the Auditor General[3] of the Bank." It also sets out the full procedure for the review of the complaint (see the full resolution in annex 1 of this document).

This note is contributed by a group of concerned staff members who fear that pervasive governance issues could have a very negative impact on the long term sustainability of the Bank. We believe that as staff members we have a duty in fostering good governance and we feel compelled to act through this note.

We bring this document to the attention of the Director of PIAC, as the official channel of the Whistle blowing policy and Resolution B/BG/2008/11, and to the attention of the Chairs of

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[1] Bank personnel includes "Elected officers of the Bank and their Advisers and assistants, regular Bank employees, short term Bank staff, Bank-employed consultant and any individual hired or employed, either permanent or temporarily by the Bank"

[2] Since the adoption of the Policy, the investigations of Fraud and Staff Misconduct have been transferred from the Auditor General to the Director of the Integrity and Anti-corruption Department. This change is reflected in the way we use this policy.

[3] See footnote 2 above.

the AUFI and Ethics committees as official channels for Resolution B/BG/2008/11.

Our objective is to trigger investigations, that will confirm or infirm these alleged cases of breach by the President of the Code of Conduct and so encourage ethical action and discourage or prevent fraud, corruption or misconduct, increase accountability. We hope thereby to restore staff morale and confidence in the effectiveness of governance and oversight mechanisms of the Bank.

Most of the cases disclosed in this document will probably not come as a surprise, since they are well known within among staff members. It is not clear if they were subject to specific attention by PIAC or the Ethics committee. The secrecy surrounding the existence of investigations and their consequences are of nature to fuel more rumors, undermine staff's confidence in accountability mechanisms and reinforce the sentiment of general impunity in the Bank. The following cases compile information and clues gathered over the course of the last few years from various sources and are, to the best of our knowledge, creditworthy.

We sincerely hope that we are wrong and that investigations will clear those cases. The last thing the AfDB needs is an institutional crisis.

At this stage, we would like absolute discretion on our action to be respected, given the sensitive context and the risk that we would be personally exposed to; and we formally request that our identity be protected and that no effort be made to try to uncover us. In this regard, we would be grateful if the Ethics Committee could exert adequate prudence when involving the General Counsel.

After a very long hesitation, we have made the deliberate choice of not distributing this document more widely. In doing so, we wish to give a last chance to the Bank's internal oversight mechanisms and procedures.

We can be reached at afdb_whistleblower@protonmail.com. Considering the precautions we use to protect our identities, it may though take several days to get an answer.

II/. CASES OF ALLEGED BREACHES OF THE CODE OF CONDUCT BY THE PRESIDENT

The code of Conduct for Executive Directors, which applies to EDs, (temporary) alternate EDs, their Advisors and senior Advisors, but also to the President in accordance to resolution B/BG/2008/11, sets out the following expectations (among others) :

*"Observe the highest standards of **ethical conduct***

*"refrain from participating in **active politics** in their home countries or elsewhere*

*"Avoid any situation that poses a **conflict**, or the appearance of a conflict, between personal **interests** and the performance of official duties.*

*(a) using their position for **private gain** (b) giving unwarranted **preferential treatment** to any organisation or person (c) impeding the **efficiency** of the Bank (d) losing complete **independence or impartiality** of action (e) affecting adversely the **confidence** of member countries or the public in the integrity of the Bank*

The following cases illustrate what we believe to be serious and repeated breaches of the Code of Conduct by the President. These give staff members the impression of a President who is above the law in an institution where rules and regulations apply in function of the President's interests, as attested by the recent staff survey. A President should be leading by example. We observe that the checks and balances provided by the Board of Directors no longer seem to be adequate.

The following cases are listed in no particular order, and state how we think the Code of Conduct might have been breached. In some of these cases, the conflicts of interest may be hard to prove, but we wish to recall that the Code of Conduct calls for the avoidance not only of actual conflicts of interest, but also of the appearance of such a conflict.

1. Non-respect of internal rules and regulations in recruitment (unethical conduct, impediment to efficiency, political activity, private gain).

Since 2015, the President has taken his responsibility of Chief of the Staff to heart, playing a very active role in the recruitment of all managerial positions, acting as the de facto HR manager. According to our information, for all PL2 positions (Manager) and above, the President validates the short list of candidates to be interviewed and the list of candidates selected after the interviews. He is known to have excluded top-rated candidates from shortlists and to have canceled shortlists drawn up by independent recruitment panels. As recently put by the General Counsel in a legal opinion, presumably to justify these practices, "*... the President is better placed than any ad hoc interview panel to know which prospective candidates for employment by the Bank would be best suited in assisting him/her in delivering that vision (which he has been elected to deliver) ... He/She can recruit the person concerned without passing through an interview panel or any other formal process.*" This personal involvement in the recruitment process may explain the long delays in recruiting for these positions and the turnover of HR directors at the Bank. This is a source of waste of resources and loss of efficiency. One cannot but wonder if the many vacant managerial positions (division manager, country manager, director or vice-president) and the lack of succession planning are not a strategy to reward countries for the support to the President's reelection.

2. Appointment of Mrs. Chinelo ANOHU-AMAZU (unethical conduct, impediment to efficiency, preferential treatment, adversely affecting confidence in the integrity of the Bank). A Nigerian citizen, Mrs ANOHU-AMAZU was appointed on the 1st of September 2019 to the position of Senior Director in charge of the African Investment Forum (AIF). She was awarded the grade of Senior Director which places her at the same salary level as vice-presidents without having the same responsibility level. She was previously DG and CEO of the National Pension Commission (PenCom) in Nigeria from 2014 to 2017. According to a May 10, 2019 SaharaReporters.com article, Mrs. ANOHU-AMAZU was dismissed in 2017 by President BUHARI following allegations of abuse, allegations, for which the Nigerian House of Representatives launched an official investigation in 2019. President ADESINA could not have ignored this situation when he hired her. The position of AIF Director became vacant when the incumbent, Mrs Stella KILONZO resigned on the 30th of June 2019, among other reasons, because she refused to hire Mrs ANOHU-AMAZU as a consultant at the request of the President for a fee considerably higher than the applicable standards. Interestingly enough, this position stayed vacant for less than two months when, for example, the position of Director for Integrity and Anti-corruption, also under the direct recruiting authority of the President, remained vacant for 18 months between 2017 and 2018.

3. Appointment and promotions of Mr. Martin FREGENE (unethical conduct, impediment to efficiency, preferential treatment). A Nigerian-born, Mr FREGENE is alleged to be the President's brother-in-law (through their wives). He joined the Bank in September 2015 as Adviser in the Office of the President, after having already served in his office when he was Minister of Agriculture of Nigeria. In 2017, it is reported that, at the President's request, he was appointed lead expert to Mrs. BLANKE, VP Agriculture, and then promoted Adviser, both regular positions, both times without competition. Mr. FREGENE was later promoted again in 2018 to the position of Director of the Agriculture and Agro-industry Department with effect from the 1st of January 2018 when Mr. OJUKWU, the incumbent, was still in place (he retired on the 31st of January). While no succession planning is in place for functions as important as VPs and DGs, it is worth noting that in this case, not only was the succession planned, but it included an overlap of one month. Consequently, the Bank ended up with two Directors of Agriculture and paid two salaries for the same position during the month of January 2018. This appointment did not respect the Recruitment Manual which requires a 24-months minimum time in grade before an internal candidate can apply to another position. It is unclear if, if confirmed, the familial affiliation was disclosed during the recruitment process or if it played a role in the promotions.

4. Mismanagement of the TAAT programme (unethical conduct, impediment to efficiency, preferential treatment, adversely affecting confidence in the integrity of the Bank). TAAT, Technologies for African Agriculture Transformation, is a USD 120m programme designed to speed up the adoption of agricultural technologies through CGIAR agricultural research institutes. The first phase of the programme, a USD 40m ADF-14 grant to IITA in Nigeria was reluctantly approved by the Board of Directors in 2017, only after the President personally used all of his political weight to defend the transaction and lift the Board's doubts. One has to remember that the President worked for IITA and AfricaRice, and both institutions were to benefit from the grant. The mastermind behind the project, Mr. FREGENE, is also an IITA alumni and the task manager, Mr MUDE, is an alumni of ILRI, another institution financed by the programme. In 2018, IITA, the implementing agency, proceeded to purchase through direct procurement USD 5.46m worth of pesticides from a multinational company, while the grant contract specifically prohibited such procurement method. Fortunately, the fiduciary controls of the Bank stopped the process but Mr. FREGENE went ahead and personally negotiated the price directly with the supplier and asked for the shipment of the pesticides. When confronted by senior management, he tried to launch a competitive bidding process to cover up the direct purchase. The fiduciary controls of the Bank worked once again and the payment of the supplier's invoice was blocked for non-compliance with Bank rules. When informed, the President himself requested the payment to be released to the supplier. It is unclear if the on-going investigation was launched at the request of the President or not. One cannot but wonder why Mr. FREGENE felt confident enough (1) to proceed with the negotiation and contracting of such a large contract against all applicable rules without even being the implementing agency, (2) to lie to Opscom, one the highest ranked committees of the Bank, about the status of the contract or (3) to entrust the management of the programme to another CGIAR alumni, against all good practices?

5. Appointments and promotions of Mrs. Maria MULUNDI (unethical conduct, impediment to efficiency, preferential treatment, private gain). A Kenyan national, Mrs. MULINDI, has long lasting professional ties with the President, as she was already working for him when he was the Minister of Agriculture of Nigeria[4]**.** She first joined the Bank as a consultant, Adviser to the President, in his advanced team from June to end of August 2015 before he assumed duty. She was then promoted Senior adviser to the President in 2016 and again appointed – without competition – Director of Cabinet, Office of the President in April 2017, a regular Bank position according to the Staff Rules. According to our information, upon instruction of the President, for this appointment, her annual salary was increased from about UA 150,000 to UA 199,000 corresponding to an unusual increase of more than 32.7%, in clear breach of Rule 43.01 of the Staff Rules. This increase was justified by claiming that this appointment was a new recruitment rather than a promotion. Over the summer of 2018, she fell into disgrace and was appointed by the President as Director in charge of Special Duties, Engagement with Civil Society and Community Based Organizations and sent back to the Eastern Region (her home country) and then to the Southern region. There, Mrs. MULINDI continues to receive a salary of UA 199,000 and enjoys all related benefits. It is worth mentioning that there is already a Director for Gender, Women and Civil Society and it is unclear if Mrs. MULINDI reports to her or not. Her function does not exist in the current organizational chart and almost no trace of actual work can be found. According to our information, the "special duty" she was tasked by the President is to take care of his wife, Grace ADESINA, currently under treatment in South Africa.

[4] See here

6. Direct contracting and appointment of Mr. Victor OLADOKUN (unethical conduct, impediment to efficiency, private gain, preferential treatment). A childhood friend of the President, as attested by a publicly available photograph, Mr. OLADOKUN's company 3D Global Consult was awarded by the President, in early 2017 a consultancy contract for an amount of USD 326,000 through direct contracting, thereby making full use of the possibility to waive procedures for the procurement of consulting services granted to the President by PD 02/2012. This contract has been flagged by internal audit, as being potentially subject to a conflict of interest. It is unclear if this red flag has led to any investigation nor if it was verified if this contract was awarded in thanks for Mr. OLADOKUN's alleged services performed during the President's election campaign. Mr. OLADOKUN was then appointed in September 2017 as Director of Communications and reports directly to the President. It is unclear if Mr. OLADOKUN's close association with the President was disclosed during the contracting or the recruitment process.

7. Contracting of Mr. Kapil KAPOOR (unethical conduct, impediment to efficiency, preferential treatment). The former Director General for the Southern Region, Mr. KAPOOR retired on 31st of August 2019. He was then immediately recruited by the President as a consultant and was kept in office in Pretoria with a very comfortable monthly fee of USD 23,000. Mr. KAPOOR, who is no longer a staff member, continues to enjoy the advantages of the position of Director General. And he does so in utter disregard for the presence of a Deputy Director General in Pretoria.

8. Appointment of Mr. Emmanuel EZINWA (unethical conduct, impediment to efficiency, preferential treatment, adversely affecting confidence in the integrity of the Bank). A national of Nigeria, Mr. EZINWA was found guilty of sexually harassing a colleague during his probation period. On the basis of this staff misconduct, the HR Director refused to confirm his contract at the end of the probation period. According to our sources, the President requested that Mr. EZINWA's contract be confirmed, which in turn contributed to the resignation in 2019 of the HR Director, Mrs. Frauke HARNISCHFEGER, merely 6 months after she took office. The sexual harassment was left unpunished.

9. Preferential treatment for Nigeria and Nigerians (unethical conduct, impediment to efficiency, preferential treatment). Under President ADESINA, Nigeria was promoted to an almost full-fledged region. No longer part of the West-African General Directorate, under the new organizational chart introduced by the President, the Nigeria Country Directorate now stands by itself and the Country Director reports directly to the VP. Admittedly, Nigeria is AfDB's largest shareholder with over 9%, but it's not clear if this justifies a preferential treatment. Nigerians have also been particularly well treated in the massive recruitment drive that was launched due to the restructuring of President ADESINA between 2016 and 2018. When roughly 9% of new recruits were Nigerians (or dual nationals of Nigerian origin) – in line with Nigerian shareholding –, they made up roughly 25% of the newly recruited managerial functions. It is not clear if this preferential treatment was justified by a previous under-representation.

10. Awards received by the President and costs borne by the Bank (unethical conduct, private gain, impediment to efficiency). In 2017 and 2019, Mr. ADESINA received two major awards: the World Food Prize (USD 250,000) and the Sunhak Peace Prize (USD 500,000). Other less significant prizes were also awarded. It is not clear if he received these awards as the President of the AfDB or as a private citizen. Dozens of people, Bank staff, executive Directors, former Head of State, entertainers or family members attended the award ceremonies at the Bank's costs (one in Des Moines, Iowa, the other in Seoul, Korea). If these awards were private, why did the Bank support associated costs? If they were awarded to the President of the Group of the Bank were the awards returned to the Bank?

11. Settlements for staff separations (unethical conduct, preferential treatment, impediment to efficiency). The reorganization of the Bank by President ADESINA proved very costly in terms of agreed voluntary separation packages. However, on top of these packages, many separations were the subject of confidential amicable settlements for which it is unclear if they were needed or the result of preferential treatment. In 2019, the use of a contingency budget of UA 2.8m was requested and in 2020, an additional UA 2m was budgeted for such cases. An illustrative example is that of Mr. Celestin MONGA, former Chief Economist, who, in exchange for a severance package of 15 months of salary (more than USD 400,000), tendered his resignation in September 2019 merely 3 weeks after his 3-year contract had been automatically renewed. Why wasn't the contract not renewed at the expiry date which would have resulted in a lower compensation of just 36 days of salary? Did Mr. MONGA and others benefit from presidential preferential treatment or were those compensations objectively justified? Was this a method to circumvent the requirements of article 37.2 of the Agreement and so bypass the consultation of the Board of Directors?

12. Resignation of Mr. David SSEGAWA (unethical conduct, preferential treatment, impediment to efficiency, adversely affecting confidence in the integrity of the Bank). This case is widely known in the Bank after it was disclosed by the Ivorian ED and has been the subject of an internal audit and an investigation. A Ugandan national residing in Kenya, Mr. SSEGAWA was appointed by the President to the position of Director of Human Resources in 2016. In clear violation of the Bank's rules and procedures, he signed through direct procurement two service contracts amounting to USD 2.1 million to the benefit of a Kenyan recruitment firm (CAREER CONNECTIONS Ltd) to process some aspects of staff recruitment. The maximum signing authority of a Director at the Bank, for direct procurement, is UA 100,000. On top of the abuse of the delegation of authority matrix, it was at the time alleged that Mr. SSEGAWA had a stake in that company. When those fraudulent procurement practices were revealed and an audit was requested, the President separated from Mr. SSEGAWA by letting him resign while under investigation and allegedly paying him a substantial severance package instead of sanctioning him. Since then, Mr. SSEGAWA is enjoying the responsibilities of Global People Director at OXFAM.

13. Resignation of Mr. Michel-Cyr DJIENA-WEMBOU (unethical conduct, preferential treatment, impediment to efficiency, adversely affecting confidence in the integrity of the Bank). This former country representative in Chad was found guilty of serious misconduct after an audit and an investigation. But instead of being sanctioned by the Bank, he was allowed to resign and received a golden parachute as part of an amicable settlement. Not having to face the consequences of his acts, he is now, ironically enough, expert in good governance for ECCAS.

14. Appointment of Mr. Charles LUFUMPA as acting VP and Chief Economist (unethical conduct, preferential treatment, impediment to efficiency, adversely affecting confidence in the integrity of the Bank). Yet another perplexing case of impunity. As Director of Statistics, Mr. LUFUMPA, a Zambian national, awarded two contracts (to KNOEMA and PROGNOZ) for a total amount of more than USD 18m. Internal audits and fraud investigations have concluded that the contracts were fraudulently awarded, and the responsibility of Mr. LUFUMPA has been established in 2016. To this day, no action has been taken by the Bank towards Mr. LUFUMPA. Better still, in October 2019, Mr. LUFUMPA was appointed Acting VP and Chief Economist by the President.

15. Disregard of rules concerning leave of absence of VPs or travel of management (unethical conduct, preferential treatment, impediment to efficiency). Mr. Khaled SHERIF, VP for Regional Development, Integration and Business Delivery, has earned a strong reputation of being an absentee VP. In 36 months, the total amount of his unjustified absences is estimated at more than 14 months while he should be entitled to a maximum of 26 leave days per year. Nonetheless, he spends nearly 4 months a year at the Bank's expense in Washington DC, where he was based before he was recruited by the AfDB. For example, he left Abidjan on the 4th of October 2019 only to return on the 22nd of October (an 18-day absence), to take part in the World Bank's Annual Meeting, which just lasted 6 days from the 14th to the 20th of October. In addition, Mr. SHERIF was also absent for 2 and a half months, from July to the end of September, without any valid reason, not to mention a one-month stay last June in the USA. From November 2019 to early 2020, he has been absent from the Bank. Other members of the management also enjoy this possibility of abusing the Travel policy without sanction. Among them, Mr. FREGENE who spends 10 days every two months at the Bank's expense in the United States, where is family is located. We cannot imagine that these absences have not been authorized by the President and they question the economic use of resources and the operational capacity of the Bank when the Staff Rules make no provision for tele-working.

16. Political lobbying of Heads of State (unethical conduct, political activity, private gain). The President is the unchallenged travel champion of the Bank. He uses the opportunities of these travels to meet with regional Heads of State and make financial promises (effectively bypassing governors, EDs and operational staff) to secure support for his reelection to a second term and to stifle competition. Ironically, in 2015, it was reported that Mr ADESINA had lobbied the World Bank through the Nigerian Governor to prevent Mr. Makthar DIOP, then WB Vice-President for Africa, from using his official travels and position to campaign for his own election for president of the AfDB. Mr. DIOP consequently did not run. Recently, at its 56th Ordinary session of the Authority of Heads of State and Government, ECOWAS announced the endorsement of the candidacy of Mr. ADESINA for a second term just after Mr. ADESINA had delivered an address to the session. Being a politically elected function, any effort to secure an election or a re-election is considered a political activity. Staff willing to run for the office would have to resign before being allowed to do so.

Annex 1: Resolution B/BG/2008/11

AFRICAN DEVELOPMENT BANK

BOARD OF GOVERNORS

Resolution N° B/BG/2008/11
Adopted at the First Sitting of the Forty-Third Annual Meeting of the African Development Bank, on 14 May 2008

Application of the Code of Conduct for Executive Directors of the African Development Bank and the African Development Fund to the President of the Bank Group

THE BOARD OF GOVERNORS,

HAVING REGARD TO: (i) the Agreement Establishing the African Development Bank (the "Bank"), in particular Articles 1 (Purpose), 2 (Functions), 29 (Board of Governors: Powers), 31 (Board of Governors: Procedure), 32 (Board of Directors: Powers) and 36 (Appointment of the President); (ii) the Agreement Establishing the African Development Fund (the "Fund"), in particular Articles 26 (Board of Directors: Functions) and 27 (Board of Directors: Composition); and (iii) the General Regulations of the Bank, in particular Article 4 (Powers, Functions and Responsibilities of the Board of Directors and the President);

RECALLING Resolution N° B/BD/2001/14–F/BD/2001/10 of 25 April 2001 by which the Board of Directors of the Bank and the Board of Directors of the Fund adopted the Code of Conduct for Executive Directors of the African Development Bank and the African Development Fund;

CONSIDERING the crucial role that the President of the Bank Group (the "President") plays in his/her regular functions and the importance of the responsibilities attendant on his/her office;

FURTHER NOTING the importance of preventing, detecting and discouraging in an efficient manner certain tendencies capable of damaging the highest standards of loyalty, competence and integrity of the President;

HEREBY ADOPTS THIS RESOLUTION AND DECIDES AS FOLLOWS:

Article 1: **Objective of this Resolution**

The provisions of the Code of Conduct for Executive Directors of the African Development Bank and the African Development Fund (the "Code of Conduct") shall apply to the President.

As an exception to the provisions of the preceding paragraph, the provisions of this Resolution shall not apply *ab initio* to the mandate of the President currently underway. However, following the notification made by the incumbent to the Boards of Directors voluntarily proposing to be bound by the provisions of the Code of Conduct during his present mandate, the said Code of Conduct and this Resolution shall apply to the President from the date of entry into force of this Resolution.

Article 2: **Procedures for Lodging a Complaint before the Ethics Committee**

Any complaint or allegation relating to the violation by the President of the provisions of the Code of Conduct shall be submitted in writing to the Ethics Committee provided for in Article 18 of the said Code of Conduct either in person, through the Chairperson of the Audit and Finance Committee (AUFI) of the Boards of Directors, or through the Auditor General of the Bank.

Article 3: **Preliminary Review and Transmittal of a Complaint by the Ethics Committee**

The Ethics Committee shall conduct a preliminary examination of the complaint or allegation to determine whether it is based on apparently solid justifications with a view to submitting it to the Chairperson of the Bureau of the Board of Governors under the following conditions:

● If the preliminary examination of the complaint or allegation shows that it is frivolous or not based on any objective and solid facts it shall be dismissed.

● If the preliminary examination of the complaint or allegation reveals facts that are capable of establishing violations of the Code of Conduct, the complaint or allegation shall be submitted to the Chairperson of the Bureau of the Board of Governors for further examination;

Article 4: **Role of the Bureau of the Board of Governors**

Notwithstanding the provisions of Article 3 of this Resolution, the Chairperson of the Bureau of the Board of Governors, in consultation with other members of the said Bureau, shall have sole competence to finally determine whether or not there exists a reasonable basis for pursuing a complaint or an allegation in relation to the violation by the President of any provision of the Code of Conduct.

In taking his/her decision, the Chairperson of the Bureau of the Board of Governors may require the Ethics Committee and the person that made the complaint or allegation or any Department of the Bank, to provide additional information and clarifications, where necessary.

The Chairperson of the Bureau of the Board of Governors may, in appropriate cases, require the Ethics Committee to conduct more in-depth investigations.

Article 5: **Report following the Investigation of the Ethics Committee**

At the conclusion of the investigation provided for in the last paragraph of Article 4 of this Resolution, the Ethics Committee shall submit a report of its findings to the Chairperson of the Bureau of the Board of Governors to deal further with the complaint or allegation in conformity with the provisions of the Agreement Establishing the Bank.

The report shall be accompanied by supporting documents.

Article 6: **Informing the Board of Governors**

The Chairperson of the Bureau of the Board of Governors shall inform the Board of Governors of the opening of any investigation relating to any complaint or allegation of the violation by the President of the provisions of the Code of Conduct.

Article 7: **Due Process**

No investigation concerning an alleged violation by the President of the provisions of the Code of Conduct shall be conducted pursuant to the terms of this Resolution without the President having been given the chance to be heard or invited to present written evidence in defence of him/herself before the Bureau of the Board of Governors.

In application of the provisions of the preceding paragraph, the President may request any person of his/her choice to assist him/her in the presentation of his/her defence.

Article 8: **Entry into Force**

This Resolution shall enter into force on the date of its adoption and shall become public record as necessary.