

FAQ's

What is a Negotiated Resolution?



The Negotiated Resolution process is an alternative mechanism for resolving cases of Prohibited Practices available in the limited situations that meet the eligibility criteria. If eligible, this process allows the Investigated Party the opportunity to resolve matters in a timely fashion, receive cooperation credit against any potential sanction, and avoid sanctions for disclosed misconduct, not previously known to OII.

How confidential is the process?



The Negotiated Resolution Agreement (NRA) is confidential with the exception of the sanction itself and a negotiated press release. OII may use the information derived from the negotiations against third parties implicated in a Prohibited Practice.

Can the negotiation terminate early?



Either OII or the Investigated Party may terminate the negotiations prior to reaching an NRA. OII may decide to continue with an investigation, submit a Statement of Charges and Evidence to the Sanctions Officer, or terminate its investigation.

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GUIDE TO THE
IDB GROUP'S
NEGOTIATED
RESOLUTION
PROCESS



1. Initiation of Negotiations: ➤

An Investigated Party may seek a Negotiated Resolution related to Prohibited Practices with the IDB Group's Office of Institutional Integrity (OII) prior to or during the course of an investigation, but not after OII has submitted a Statement of Charges and Evidence to the Sanctions Officer (SO).

4. Negotiation Agreement: ➤

Prior to the beginning of any substantive negotiations, OII and the Investigated Party enter into a Negotiation Agreement containing provisions, including confidentiality, on the negotiation process.

2. Eligibility Criteria: ➤

Eligibility for a party to seek a Negotiated Resolution includes that the Investigated Party provide substantial evidence of the following:

- (i) Systemic Prohibited Practices or integrity risks to IDB Group-financed activities; or
- (ii) Significant Prohibited Practices related to IDB Group-financed activities of the Investigated Party or other parties not previously known to OII.

5. Negotiated Resolution Agreement: ➤

Upon successful completion of a negotiation, OII and the negotiating party sign a Negotiated Resolution Agreement (NRA) that may include, among other things:

- (i) A Statement of Facts underlying the Investigated Party's role in the Prohibited Practice;
- (ii) An admission of responsibility or non-contesting of facts for the underlying conduct;
- (iii) A sanction to be imposed by the IDB Group, and;
- (iiii) The conditions to be met by the Investigated Party including conducting internal investigations, ongoing cooperation and implementation of a compliance program.



3. Negotiation Framework: ➤

OII's Chief, with the concurrence of the SO, determines whether the eligibility criteria are met.

The SO is not a party to the negotiations but determines eligibility based on OII's submission.

The SO provides OII with a sanction or a range of sanctions it must refer to during the negotiation process.

6. Ongoing Cooperation: ➤

During the negotiations and after the signature of the NRA, the Investigated Party is expected to cooperate with OII inquiries and investigations in accordance with the NRA, including:

- (i) Conducting and completing internal investigations;
- (ii) Providing access to financial or other relevant information from the Investigated Party, its affiliates, employees or representatives deemed relevant to OII; and
- (iii) Undertaking an ongoing duty to report newly discovered misconduct.