


## Anti-Corruption Policy

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## DEFINITIONS

- a) **“Coercive practice” or “coercion”** - means impairing or harming, or threatening to impair or harm, directly or indirectly, any party or the property of a party to influence improperly the actions of a party.
- b) **“Collusive practice” or “collusion”** - means an arrangement between two or more parties designed to achieve an improper purpose, including influencing improperly the actions of another party, and includes any action or inaction violating the objectives and provisions of the Procurement Rules.
- c) **“Corrupt practice” or “corruption”** - means the offering, giving, receiving, or soliciting directly or indirectly of anything of value to influence improperly the actions of another party. This means any behavior in which the applicable parties improperly and unlawfully enrich themselves or persons or organizations close to them or they have interest in, or induce others to do so, by misusing their position. Additionally, corruption involves a breach of trust in the performance of official duties, bribery, extortion, deception, collusion, embezzlement, trading in influence, money-laundering and other similar activities.
- d) **“Fraudulent practice” or “fraud”** - means any act or omission, including a misrepresentation, that knowingly or recklessly misleads, or attempts to mislead, a party to obtain a financial or other benefit or to avoid an obligation. Fraud shall also refer to all acts of misappropriation of funds, theft, embezzlement, bribery, wilful waste, intentional harm to the GGGI’s assets as well as any illegal act that could affect the financial and/or reputational interests of the GGGI. Fraud can take many forms that are often characterized by some form of deliberate deception to facilitate or conceal the misappropriation of assets.

## 1. INTRODUCTION

### 1.1 PURPOSE

- 1.1.1. The objective of this Anti-Corruption Policy (this “Policy”) is to promote and encourage ethical organizational behaviour and practices.
- 1.1.2. This Policy has been promulgated to assist in the prevention, investigation, reporting and responding to all incidents of fraud, corruption, coercion and collusion perpetrated against the GGGI.

## 1.2 GENERAL PRINCIPLES

- 1.2.1 The GGGI affirms a zero tolerance policy when credible evidence of fraud, corruption, coercion or collusion exists among the applicable parties. “Zero tolerance” means that the GGGI will pursue all allegations falling under the scope of this Policy and that appropriate sanctions will be applied where the allegations are substantiated. The GGGI shall enforce a range of disciplinary measures and sanctions for all such cases, in accordance with applicable GGGI rules and regulations and contractual provisions. Such measures will include referral to the competent national authorities where warranted.
- 1.2.2 Applicable parties are strictly prohibited from engaging in coercive, collusive, corrupt or fraudulent practices. More specifically, they are prohibited from offering, paying, promising, or authorizing any payment or other thing of value, to any person, directly or indirectly through or to a third party, for the purpose of (or in exchange for) causing the person to act or fail to act in violation of a legal duty, causing the person to abuse or misuse their position or securing an improper advantage, contract or concession for the GGGI or any other party.

## 1.3 APPLICATION

- 1.3.1. This Policy applies to staff members, former staff members and any other third parties that directly or indirectly do business with or have interest in the GGGI or its operations or activities.
- 1.3.2. Applicable parties are responsible for complying with this Policy and all applicable anti-corruption laws of their respective country in the performance of their duties. In the event of a conflict between this Policy and any other anti-corruption law of the respective country, the stricter rules shall be enforced.
- 1.3.3. The scope of this Policy does not cover ethical conduct or procedural lapses of the applicable parties that do not fall within the scope of corrupt, fraudulent, collusive or coercive practices as defined above (e.g. harassment, mismanagement, disrespectful behaviour and breaches of legal and contractual obligations not involving fraud, corruption, coercion or collusion).

## 1.4 EXCEPTIONS TO ANTI-CORRUPTION POLICY

- 1.4.1. No deviation or waiver from this Policy is permitted under any circumstances.

## 2. POLICY

### 2.1 PREVENTION AND CONTROL

- 2.1.1. All applicable parties are strictly prohibited from engaging in coercive, collusive, corrupt or fraudulent practices. The list below includes, but is not limited to, practices that are either prohibited or best practices that aim at preventing coercion, collusion, corruption or fraud.
- 2.1.2. **Financial Transactions:** It is prohibited to maintain undisclosed or unrecorded funds or assets for any purpose and records that disguise or misrepresent any aspect of a transaction. Examples include, but are not limited to:
- a) numbered foreign bank accounts;
  - b) unrecorded petty cash;
  - c) real and personal property held by a nominee who is not the real owner of the property;
  - d) records that reflect a payment to “X” when the payment was actually made to “Y”;
  - e) records that reflect the payment of a certain amount to an agent when there is an understanding that the agent will pay a portion of this amount to an applicable party.
- 2.1.3. **Accounting Transactions:** Each transaction and disposition of assets by the GGGI must have proper authorization, must be recorded timely and must accurately reflect the substance and purpose of the transaction. No transaction shall be entered into that requires or contemplates the making of false or fictitious entries or records in whole or in part. No accounting balances shall be created or maintained that have no documentary support or that have no reasonable basis in fact.
- 2.1.4. **Political Contributions:** No funds, facilities or services of the GGGI of any kind may be paid or furnished to any political candidate for public office, any political party or any form of political campaign. When any type of political contribution is being considered by any applicable party, the determination in terms of amount, timing and means of contribution shall be subject to the prior written approval of the Director-General.
- 2.1.5. **Expense Payments permitted under GGGI Rules, Regulations and Policies:** The payment or reimbursement of expenses shall be made by the GGGI only if the requirements of the GGGI rules, regulations and policies are met. The purpose of the expenses must relate directly to the business purposes of the GGGI or its objectives.

- 2.1.6. **Illegal Payments:** This Policy prohibits the making of illegal payments, including bribery that facilitate services from governmental and non-governmental agencies, irrespective of circumstances.
- 2.1.7. **Prohibited Means of Payment:** Wire transfers should only be made to bank accounts in the name of the person entitled to payment and not to a third-party account designated by such person. Other than fully documented petty cash transactions, no transaction in cash that is not evidenced by a receipt bearing the signature of the recipient shall be made. In those situations, the recipient must also be the acting party in a fully documented business relationship with the GGGI. The applicable parties who are involved in international transactions must become familiar with the anti-corruption laws of the countries in which the GGGI operates and are responsible for seeking the advice of the Legal Department in any situation involving questionable payments.
- 2.2 **REPORTING OF COERCIVE, COLLUSIVE, CORRUPT AND FRAUDULENT PRACTICES**
- 2.2.1 All staff members are obliged to report in writing any evidential or suspicious breach of this Policy to the Deputy Director-General for Management and Administration (the “DDG-M&A”). In case the report is regarding the staff in the Executive category of the GGGI, the report shall be made to the Chair of the Council of the GGGI. The GGGI shall make available a communication channel for such reports. A staff member who fails to do so may be subject to disciplinary action under the GGGI Staff Regulations and Rules.
- 2.2.2 With regard to the protection of staff and external parties from retaliation and from malicious accusations, the GGGI has promulgated a whistle-blower Policy which details protection of witnesses and whistle-blowers as well as recommended actions against false accusations.
- 2.3 **INVESTIGATION**
- 2.3.1 Except in cases referred to in 2.3.2 below, the DDG-M&A shall decide on the modality to review irregular practices pertaining to GGGI-financed or GGGI-supported activities.
- 2.3.2 In cases of alleged irregular practices on the part of any staff member of the GGGI Executive category, the Chair of the Council shall decide on the modality of a review including a preliminary inquiry or investigation.
- 2.3.3 When an incident is first reported, a preliminary inquiry shall normally be undertaken to determine whether there is sufficient evidence to warrant further proceedings. The DDG-M&A shall decide whether such preliminary inquiry is warranted and, if yes, assign it to qualified persons internal or external to GGGI,

depending on the nature of the reported incident. When the outcome of the inquiry determines that there is sufficient basis to merit further proceedings, a formal investigation shall be undertaken to determine the substance and circumstances of the matter.

- 2.3.4 Following the initial inquiry, the DDG-M&A may appoint an investigative team that shall investigate the matter and report to the DDG-M&A the facts that have emerged from the investigation and recommend what action or actions to take, if any. The composition of the team shall be decided on by the DDG-M&A and may consist of officials from the Office of Internal Audit and Integrity (the "OIAI"), subject matter experts, external consultants or any other parties that seem best suited to conduct a particular investigation.
- 2.3.5 In the case of inquiries or investigations falling under 2.3.2 above, the investigative team shall report the facts that have emerged together with possible recommendations to the Chair of the Council.
- 2.3.6 In the event that a third party violates this Policy or is found to have violated a similar anti-corruption policy or law of another international organization or government, the GGGI may reject a proposal for award of contract from, cancel an award of contract to or terminate or cancel a contract with such third party, and suspend or discontinue business with such third party and debar such third party from future bidding until further review by the Management.
- 2.3.7 The DDG-M&A and where applicable the Chair of the Council shall maintain a detailed log of the reported coercion, collusion, fraud and corruption cases as well as details of action taken in response to such reports.

### **3. SUPPLEMENTARY CLAUSES**

- 3.1.1 Guidelines on application and implementation of this Policy are to be issued separately.
- 3.1.2 This Policy is subject to review and may be revised from time to time by the Director-General.