

# Index

- acceptability of paying a bribe 101–5
- accounting 152
- acquisitions 29
- action plan 42, 56–7
- active bribery 157, 159
- active listening 20, 23–5
- adequate procedures 66–7, 141
- advice hotline 111–13
- Agence française anti-corruption (AFA)
  - 149, 161, 162, 163, 164
  - risk assessment 36–7, 43, 44
- Alliance for Integrity (Afln) 129–30
- amalgamation of functions 32
- anti-corruption/anti-bribery policy
  - creating 65–8
  - see also* policies
- anti-corruption audits 114, 115, 121
- anti-corruption champions 32
- anti-corruption compliance programme
  - see* compliance programme
- Argentina 131, 137–9
- Asia-Pacific Economic Cooperation (APEC) SME Leaders in Ethics and Integrity Program 139–40
- auditors 44
- audits, anti-corruption 114, 115, 121
- awareness-raising 110–11, 120
  - see also* training
- bank accounts 92–4
- Basel Institute on Governance 125, 143
- Basel Open Intelligence 89
- benefits of a compliance programme
  - 10–14
- board of directors 19, 30, 31
  - crisis management 119–20, 122–3
  - mandate for risk assessment 46
- bribery 6–8, 20–21, 62
  - acceptability of 101–5
  - active 157, 159
  - on behalf of larger customers 51–2
  - controls addressing third-party risks 83–91
  - dealing with bribe solicitation 103–5
  - of government officials *see* government officials
  - impact of allegations of 116, 118–19
  - passive 157
  - steps in bribery risk assessment 43–58
- Brockmeyer, Kara 156
- BSR 134, 137, 138
- business environment 6
- business model, change of 29
- business opportunities 50–52
- business partners 45, 52–3, 55
- Cain, Charles 156
- cash 93
  - petty cash 93, 98–9
- cash equivalent 69, 71
- cash gifts 69, 71–2
- certification 148–50
- challenging situations 26–7
- charitable donations 50, 80, 81–2, 93
- civil society organizations 143
- close connection rule 159
- code of conduct 17, 20, 45, 60–65
  - drafting 61–4
  - fit with policies and procedures 64–5
  - usefulness 60–61
- code of ethics 4, 61
  - see also* code of conduct
- collective action 3, 4–5, 43, 97, 104, 124–43

- business case for 127–8
- defining 126–7
- information and resources 143
- initiatives 129–41
- readiness for 141–2
- situations requiring 128–9
- commercial organization, defining 169
- communication strategy 20
- company registration documentation 87
- compensation 89
- competitive advantage 28
- compliance 4–5, 9–10
  - how a strong culture supports compliance 18–19
- compliance function 30–33
- compliance officer 30–33, 43, 120, 121
- compliance programme 3–5, 9, 101
  - benefits of 10–14
  - COSO 2013 Framework 150–51
  - culture *see* culture
  - elements of 5
  - French Sapin II law 161–3
  - governance *see* governance
  - ISO 37001 certification 148–50
  - leadership *see* leadership
  - monitoring 114–16
  - USA guidance 153–4
- Confederation of Indian Industry (CII) 132–3
- conflicts of interest 16, 62, 67
  - managing 82–3
- consultation 62
- contracts 61
  - value of 88
- controls 65
  - addressing bribery risks from third parties 83–91
  - COSO Internal Control Framework 150–51
  - financial *see* financial controls
  - risk assessment and effectiveness of 42, 54–6
  - see also* policies
- conventions judiciaire d'intérêt public (CJIPs) 161, 163–4
- corporate culture *see* culture
- corporate events 77–9
- corruption, defining 7–8
- COSO 2013 Framework 150–51
- Council of Europe 146, 147
- country risk 41, 46–8, 86–7, 95
- crisis management 116–23
- cross-debarment 147
- culture 3, 4–5, 10, 15–22
  - changing the organization's culture 19–22
  - compliance supported by strong culture 18–19
  - speak-up culture 17–18, 20, 23–5, 102
- customers
  - pressure from 11–12
  - terms and conditions 12
- customs clearance 95–8
- daily allowances 74, 75–6
- dealing with bribe solicitation 103–5
- deceiving the principal 165
- declining hospitality 76–7
- DEPE training programme 130
- disclosure 82, 83
- documentation 62, 67, 134
  - good governance and 33–4
  - incomplete and customs clearance 96
  - risk assessment 40
  - training 111
- donations 50, 62, 80–82, 93
- drivers of compliance 6–14
- due diligence 4, 5, 10, 28, 67, 95
  - third-party risks 84, 85–91
- Duross, Chuck 155
- e-customs systems 26, 96
- e-government 26, 67, 95
- Egyptian Junior Business Association (EJB) 133
- employees
  - empowerment to speak up 17–18
  - high-level employees thinking they are above the rules 21–2
  - involvement in changing the culture 20
  - recruitment 13, 25–6, 83
  - resistant to anti-corruption compliance 25–6
  - risk assessment 41–2, 53

- empowerment 17–18
- enforcement officials 156–7
- entertainment *see* gifts and entertainment
- ethical maturity 31, 32
- expansion 14
- exposure to risk 54
- external risks 42–3
  
- facilitation payments 62, 102, 104–10
  - approaches to tackle 107–10
  - regarded as bribes 105–7
- failure to prevent bribery 158, 160
- fair competition 125–6
- fear 107
- fees 89
- finance, access to 10–11
- financial controls 45, 55, 91–100
  - customs clearance for international transactions 95–8
  - off-book funds 91–4
  - petty cash 98–9
  - segregation of duties 99–100
  - strengthening to reduce fraud risks 94–5
- Foreign Corrupt Practices Act (FCPA)
  - 51, 146, 152
  - FCPA Guidance 153, 154, 155–6, 162
  - risk assessment 40
- foreign public officials, bribery of 7, 52, 158, 160, 166–7
- France 161–4
  - AFA *see* Agence française anti-corruption
- fraud 17
  - strengthening financial controls to reduce risk 94–5
- Full Code Test 106
  
- gifts and entertainment 50, 62, 93
  - decision tree 70
  - declining 76–7
  - large corporate events 77–9
  - limits to hospitality and travel 73–6
  - policy 68–79
  - reasons for offering 69–71
  - tips and gratuities 71–2
- global approach 39
  
- governance 15, 28–34
  - crisis management 119–20
  - documentation 33–4
  - good governance of the compliance programme 29–30
  - need for a compliance function 30–33
- government officials
  - foreign 7, 52, 158, 160, 166–7
  - gifts and entertainment policy 69, 70, 72–3, 74, 75–6, 78–9
  - interactions with 87
  - local 52
  - MACCA 166–7
  - MACN 135–6
  - third-party risk 87
  - using public office for gratification 167
- government oversight 49–50
- government support schemes 143
- gratuities 71–2
- Group of States against Corruption (GRECO) 147
- guidance documents 36–7
  - FCPA Guidance 153, 154, 155–6, 162
  - France 161–2, 163, 164
  - Malaysia 168
  - UK 37, 53, 124, 141, 160–61
  
- holiday gift-giving 77
- hospitality *see* gifts and entertainment
- human resources staff 55–6
  
- import tariffs 96–7
- improper performance 159
- indirect bribery 83–4
- individual support 164
- inducement 165
- inductions 56
- industry sector risk 48–9
- inspections of ships 137–9
- integrity 10, 12–13
  - recruitment for 25–6
- Integrity Journey ('Jornada Íntegra') 130
- Integrity Passport programme 131
- Integrity Pledge 133
- interaction with public officials 87
- intermediaries 83–4, 93
  - see also* third parties

- internal controls 150–51
- internal risks 42–3, 53
- International Chamber of Commerce (ICC) 149
  - guidance on red flags 90–91
  - RESIST principles 103
- international standards on anti-corruption 8–9, 144–51
  - COSO 2013 Framework 150–51
  - in domestic laws 151–72
  - ISO 37001 148–50
  - MDBs 147–8
  - OECD Convention 8, 83–4, 145–6, 161, 172
  - regional conventions 146–7
  - UNCAC 144–5
- international transactions 95–8
- intracompany transfers 52
- investigations 53, 113–14
- investment, access to 10–11
- invitations 70, 74, 78–9
- ISO 37001 148–50
- know your customer (KYC) 84–5
- Knox, Jeffrey 156
- large corporate events 77–9
- lavish hospitality 69–70, 75–6
- leadership 15, 22–8, 124
  - APEC SME Leaders in Ethics and Integrity Program 139–40
  - in challenging situations 26–7
  - of collective action 141–2
  - competitive advantage 28
  - crisis management 116–17
  - recruitment 25–6
  - of risk assessment 43–4
  - through shared values 23–5
- legal advice 8, 117
- legal risks 7–8, 42, 49–50
- liability of companies and their officers 167–9
- listening, active 20, 23–5
- lobbying 81
- local agents 49
  - customs clearance 96–8
- local risk assessments 39
- Malaysia 164–9
  - Anti-Corruption Commission 36
  - Anti-Corruption Commission Act (MACCA) 164, 165–9
  - bribery of foreign public officials 166–7
  - bribery of an officer of a public body 166
  - Companies Act 164, 169
  - corruptly procuring withdrawal of tender 166
  - giving or accepting gratification by agents 165
  - giving or accepting gratification as inducement 165
  - liability of companies and their officers 167–9
  - offence of deceiving the principal 165
  - Penal Code 164, 167
  - using public office for gratification 167
- mandate for risk assessment 46
- Maritime Anti-Corruption Network (MACN) 97–8, 133–9
  - in Argentina 137–9
- market confidence 121–2
- mentoring 140–41
- micro-businesses 58–9
- monitoring 151
  - the compliance programme 114–16
  - risk assessment 57–8
- multilateral development banks (MDBs) 147–8
- multinational enterprises (MNEs) 1, 2, 10
  - avoiding pressure from 11–12
- off-book funds 91–4
- official facilitation payments 108
- opportunities, business 50–52
- Organisation for Economic Co-operation and Development (OECD)
  - Anti-Bribery Convention 8, 83–4, 145–6, 161, 172
  - Good Practice Guidance on Internal Controls, Ethics and Compliance 105, 162
- Panalpina Group 51–2
- partners, business 45, 52–3, 55

- passive bribery 157
- payments by third parties 85
- peer monitoring mechanism 145–6
- per diems (daily allowances) 74, 75–6
- Peruvian Law 30424 169–72
- petty cash 93, 98–9
- planning risk assessment 43–6
- police requests for petrol 26–7
- policies 64–83, 120, 121
  - conflicts of interest 82–3
  - creating anti-corruption policy 65–8
  - donations 80–82
  - fit with code of conduct and procedures 64–5
  - gifts and entertainment 68–79
  - necessity of 66–7
  - zero tolerance 24, 102, 106–7
  - see also* controls
- political donations 50, 80, 93
- port agents 135
- pressure from large customers 11–12
- prevention models 170–72
- priority setting 56–7
- procedures 64–5, 66–7
- Procureur de la république financier (PRF) 161, 163–4
- public officials *see* government officials
  
- qualitative data 54–5
- quantitative data 54–5
- quantitative risk assessment 41–2
  
- reasonable hospitality 75–6
- record-keeping *see* documentation
- recruitment 13, 83
  - for integrity 25–6
- red flags 89–91, 114
- regional anti-corruption conventions 146–7
- registration documentation 87
- relevant commercial organization 158
- reporting channels 111–13
- reports 113–14
- reputation 6
  - crisis management 119–20, 121–2
  - protecting and enhancing 13
  - third-party risks 88–9
  
- RESIST principles 103
- resistant employees 25–6
- risk 4
  - external risks 42–3
  - internal risks 42–3, 53
  - involving third parties 83–91
  - mitigation by third parties 89
  - red flags (risk indicators) 89–91, 114
- risk assessment 5, 9, 31, 35–59, 65, 151
  - action plan and priority setting 42, 56–7
  - checklist 58
  - creating a work plan 45–6
  - effectiveness of controls 42, 54–6
  - evaluating exposure 54
  - getting a mandate 46
  - guidance documents 36–7
  - identifying corruption risks 46–53
  - leading 43–4
  - local 39
  - monitoring and reviewing 57–8
  - problems of not having 35–6
  - quantitative approach 41–2
  - reasons for delaying 38
  - scope 40, 44–5
  - steps in 43–58
  - for very small/micro businesses 58–9
  - when wrongdoing is discovered 53
- risk-based approach 44–5, 84, 95
- risk management 9, 120–21
  
- Sapin II law (France) 161–4
- sectoral risk 48–9
- Securities and Exchange Commission (SEC) 51, 153
- segregation of duties 99–100
- self-reporting to government authorities 117
- sentencing guidelines 154–5
- Serious Fraud Office 106
- Servicio Nacional de Sanidad y Calidad Agroalimentaria (SENASA) 137–9
- shared values 23–5
- shipping
  - captains dealing with customs clearance 97–8
  - collective action 133–9

- Skansen Interiors Limited 66–7
- slippery slope 12–13
- small and medium-sized enterprises (SMEs) 1–2
  - advantages in creating an ethical culture 18–19
- APEC SME Leaders in Ethics and Integrity Program 139–40
- business case for considering collective action 127–8
- mentoring 140–41
- ‘starter’ risk assessment for very small companies 58–9
- SNC-Lavalin 140–41
- speak-up culture 17–18, 20, 23–5, 102
- sponsorships 62
- stakeholder trust 121–2
- standard operating procedures *see* procedures
- state-owned/state-controlled companies 72–3
- Stokes, Patrick 156–7
  
- tariffs 96–7
- tax auditor 32–3
- third parties 93
  - awareness-raising and training 110–11
  - controls to address bribery risks from 83–91
- third-party payments 85
- threats 107
- tips 71–2
- training 55, 56, 68, 110–11, 120
- transactions 67
  - customs clearance for international transactions 95–8
  - risk assessment 50–52
  - segregation of duties 99–100
  - third-party risks 88
- Transparency International CPI 46–7
- travel *see* gifts and entertainment
- TRUST guidelines 168
  
- UK Bribery Act 101, 157–61, 167
  - adequate procedures 66–7, 141
  - bribery of a foreign public official 158, 160
  - commercial bribery 159
  - facilitation payments 106
  - failing to prevent bribery 158, 160
  - gifts and entertainment 69, 70–71
  - guidance and collective action 124, 141
  - guidance on risk assessment 37, 53
  - improper performance 159
  - jurisdiction 159
  - offering, promising or giving a bribe 157
  - relevant commercial organization 158
  - requesting or agreeing to receive a bribe 157
- Ukrainian Network of Integrity and Compliance (UNIC) 131–2
- United Kingdom (UK) 157–61
  - Bribery Act *see* UK Bribery Act
  - Business Integrity Initiative 143
  - principles-based guidance 160–61
  - Serious Fraud Office 106
- United Nations (UN)
  - Convention Against Corruption (UNCAC) 144–5
  - Human Development Index 47
- United Nations Office on Drugs and Crime (UNODC) 110
- United States of America (USA) 152–7
  - enforcement officials 156–7
  - Foreign Corrupt Practices Act *see* Foreign Corrupt Practices Act (FCPA)
  - Securities and Exchange Commission (SEC) 51, 153
  - Sentencing Guidelines 154–5
  
- values 15–22
  - leadership through shared values 23–5
  - see also* culture
- Volkov, M. 22
  
- whistleblowing 111–13
- withdrawal of tender 166
- work plan for risk assessment 45–6
- World Bank 35–6
  - collective action 126–7, 127–8
  - Ease of Doing Business Index 47

Integrity Compliance Guidelines  
15–16, 23, 128  
Integrity Vice Presidency and  
mentoring SMEs 140–41

World Economic Forum Global  
Competitiveness Report 47  
zero tolerance policy 24, 102, 106–7

