

# **Anti-Corruption Charter**

## **Preamble**

Corruption in Slovakia is a problem affecting the society. Whereas it has a negative impact also on the activities of the business sector, the representatives of entrepreneurial entities conducting business in the Slovak Republic undertake to promote the fundamental ethical principles in business and to adopt the necessary anti-corruption measures. The Charter is determined for large, medium-sized and small businesses regardless of their business focus.

The aim of the Charter is to create coalitions of entrepreneurs recognising the same values in the society, to promote these values in the society, and to win over new members to implement the anti-corruption measures. It is aimed at developing effective practices to restrict corruption.

The Charter shall aid entrepreneurs in:

- restricting corruption,
- demonstrating the undertaking not to give and accept bribes,
- increasing transparency.

The public acknowledgement of the Charter and its promotion will also offer market advantage to entrepreneurs by creating a positive image of their company in public. Promotion of transparency and restriction of corruption may contribute towards overall improvement in the business environment.

The Charter was drawn up as the result of initiative of Transparency International Slovakia, and it is based in particular on the Business Principles for Countering Bribery adopted in December 2002 as the Initiative of Transparency International and Social Accountability International.

## **Article I.**

### **External Measures**

#### **1.1 Bribes**

We shall not offer, provide or accept bribes in any form, including commission from a portion of payment under a contract concluded, and we shall repudiate the use of other means of accepting or providing inappropriate favours to customers, mediators, business partners, suppliers, employees, or public authority officials.

We shall also instruct our employees not to promise, require, agree upon, or accept any bribe or commission from customers, business partners, suppliers, employees of such entities, or public authority officials.

#### **1.2. Internal Anti-Corruption Programme**

We shall develop internal anti-corruption mechanisms corresponding to our needs, size of the business, business premises, area wherein we conduct the business, and corruption risks. The programme shall clearly express the values, the company policy, and the procedures to prevent corruption.

A part of the anti-corruption programme implementation will consist of the development of an effective manner of its external as well as internal publication, explanation, monitoring and adaptation to current needs.

#### **1.3 Transparency**

We shall promote maximum openness while respecting the business secret. We shall actively publish information on the business, in particular information on the ownership structure, annual reports and contracts funded from public sources.

## **Article II. Internal Measures**

### Rules of Conduct in Areas with Increased Corruption Risk

#### 2.1 Public Procurement

Public procurement is where the public and the private sector meet. The procuring entity does not decide about its own, but about public funds, which, coupled with a certain degree of freedom in decision-making, can lead to the attempt not to select an offer on the basis of its advantageousness, but on the basis of the bribe promised. In the public procurement process, we shall thus accede to the undertaking of transparency, which shall be stipulated in the contract undersigned by and between the procuring entity and the tenderer upon taking over of the tender documents.

#### 2.2 Funding of Political Parties

We shall publish information on our contributions to political parties and movements. Information on contributions to political parties shall also be published on the Internet, with the contribution to be understood as any service, favour, discount or other performance for the benefit of political parties or movements. We shall ask for no favour, support or other performance by the representatives of the given political party in consideration for such contributions made.

#### 2.3 Speed-Up Payments

Payments offered with the aim to speed up the administrative procedure are a form of bribery regardless of their purpose. We shall thus not offer any such payments.

#### 2.4 Gifts and Other Favours

The borderline between a bribe and a gift may sometimes be difficult to draw; thus, we shall make every effort to draw up a clear regulation on gifts and other favours in relation to our business activities, which may be part of our business's anti-corruption programme or code of ethics. Gifts shall not be offered with the aim to influence the decision making of the recipient.

#### 2.5 Charity Donations and Sponsorship

Our charity and sponsorship donations shall be made in accordance with clearly stipulated criteria so as not to elicit suspicion of corruption. We shall publish all our donations for charity purposes or sponsorship.

#### Relationship Towards Employees and Internal Staff

#### 2.6 Employees and their Education

We shall provide for the managing bodies of the company to manage the activities of the business in a manner supporting the implementation of the Charter. The managers shall stand as an example in its implementation.

We shall actively approach our employees, we shall make them familiar with the fundamental values of the company, and we shall explain to them, what sort of conduct we expect from them. Depending on our capacities, we shall create space for their education in business ethics and anti-corruption measures.

Our employees shall have the right to consult us, or a person authorised by us, regarding questions of moral and ethics related to their work performance. We shall provide for explanation and solution of such queries in compliance with the ethical values of the business.

None of our employees shall be sanctioned in any way for having refused to offer a bribe, not even in case this would mean a loss for the business. We shall clearly declare this undertaking to our employees. Moreover, we shall positively motivate detection of corruption within the business.

#### 2.7 Reporting of Corruption Attempts

The management of our business as well as our employees shall report of and publish attempts for corruption related to our activities.

#### 2.8 Conflict of Interests

We shall counter a possible or actual conflict of interests within our businesses. We shall not employ persons in consideration for their conduct in their previous employment or position in a public authority, with a business partner or other business entity, by which conduct they deliberately harmed the interests of the previous employer.

#### 2.9 Lobbying

We shall keep and publish a list of lobbyist meetings with public authority officials. The time and place of the meetings and the content of discussion shall be recorded on such list. This duty shall not apply to meetings with public authority officials, the purpose of which is fulfilment of duties under legal regulations.

#### 2.10 Internal Control and Audit

We shall duly keep our accounting books and submit them to control. The published documents shall properly document all financial transactions of the business.

We shall monitor, review and improve the internal anti-corruption programme on an ongoing basis.

### Relationship Towards Other Entrepreneurs

#### 2.11 Business Relations

The business shall apply the Charter in relation to its organisational units, joint ventures, clients and business partners.

##### Joint Ventures

Prior to establishment of a joint venture or joint conduct of a different business matter, we shall make the other party familiar with the values of our business and with our anti-corruption programme. We shall thoroughly consider the entering into such relations, where the promotion of the business's values might be problematic, or if such a partnership would harm the good reputation of the business.

##### Mediators

The remuneration provided to a mediator shall be appropriate, provable and recorded in writing. The mediator shall respect the anti-corruption programme of the business. We shall monitor the activities of the mediator and in case of suspicion of corruption we shall terminate any cooperation with it.

#### Business Partners and Suppliers

We shall make our business partners and suppliers familiar with the Anti-Corruption Charter as well as with the internal anti-corruption programme of the business.

In the procurement of goods, works and services, we shall proceed in a non-discriminatory and transparent way.

### **Article III. Implementation of the Charter**

#### 3.1 Promotion of the Anti-Corruption Charter within the Company

We shall designate a person(s) or provide for functioning of other mechanisms responsible for implementation of the Anti-Corruption Charter.

The person, body or institution in charge shall be accountable for setting of priorities in promotion of the anti-corruption programme of the business, provision of advice, coordination of anti-corruption policies and communication with employees of the business, including managers.

The person, body or institution in charge shall be accountable for:

- a. Evaluation and proposals of new anti-corruption measures;
- c. Drawing up of reports on implementation of the Charter;
- d. Investigation of suspicion cases of corrupt conduct;
- f. Proposals of disciplinary measures;
- g. Preparation and holding of anti-corruption trainings.

Sufficient authorisations for performance of the above tasks are the condition required to be met by the person in charge.

Effective implementation of the Anti-Corruption Charter requires ongoing review of its implementation, recording of changes in procedures, practices, system or control with the aim to effectively prevent corruption. The management of the business shall demonstrate a clear and active undertaking to implement the Anti-Corruption Charter.

#### 3.2 Cooperation in Promotion of Anti-Corruption Measures

We shall cooperate with other business entities, non-governmental organisations, and the Government in promotion of the Charter, in its introduction into the life, as well as promotion of further anti-corruption measures.

We shall at the same time support the dissemination of anti-corruption programmes, information, experience and well-tried practices in the fight against corruption.

We shall support the development of an effective mechanism for its monitoring, promotion, compliance and improvement.

The Charter signatories shall have the right and duty to state this fact in their materials and information for the public.

*Transparency International (TI) is an international, non-governmental, non-profit organisation focused on the issues of transparency, corruption and bribery at international as well as national level. TI is a single worldwide movement with exclusive focus on the above issues. It was established in 1993 in Berlin, where the central TI Secretariat is located at present. At international level, TI cooperates with several major institutions such as World Bank and OECD. The local branch offices - national chapters of Transparency International are being established in individual countries. At present, they count more than 80.*

*In Slovakia, Transparency International Slovakia has been working since September 1998. Information on the Charter and its signatories, as well as other information on anti-corruption measures in business may be found on the website [www.charta.sk](http://www.charta.sk).*

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