

Regulation of combating bribery in international trade

Requirements relating to clients and CEB obligations

Pursuant to the respective OECD documents, exporters (or applicants for officially supported financing) are obliged to, among other things

- Declare that they are aware of the provisions of the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, and agree to take all measures necessary to comply with them;
- Demonstrate that they have developed and apply management control systems that combat bribery in accordance with the Czech legal system;
- Declare that neither they nor anyone acting on their behalf such as agents have been or will engage in bribery in the transaction in question;
- Declare that neither they nor anyone acting on their behalf in connection with the transaction are currently under charge, or have been convicted within a five-year period prior to the application, or have been subject to equivalent administrative measures for violation of laws against bribery of foreign public officials of any country;
- Upon demand disclose the identity of persons acting on their behalf in connection with the transaction and the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons.

The OECD documents oblige CEB

- To verify and ascertain whether exporters or applicants are listed on the publicly available debarment lists of the international financial institutions (in particular of the World Bank group);
- To undertake enhanced due diligence if (i) the exporters or applicants appear on the publicly available debarment lists or (ii) the bank becomes aware that the exporters or applicants or anyone acting on their behalf in connection with the transaction is currently under charge, have been convicted within a five-year period prior to the application, or have been subject to equivalent administrative measures for violation of laws against bribery of foreign public officials of any country or (iii) there is reason to believe that bribery may be involved in the transaction;
- To inform the law enforcement authorities promptly if there is credible evidence of bribery at any time in connection with the award or execution of the export contract;
- To suspend approval procedure of the application during the due diligence process if, before credit or other support has been approved, there is credible evidence that bribery

was involved in the award or execution of the export contract, and to refuse to approve credit or other support if the enhanced due diligence concludes that bribery was involved in the transaction;

- To take appropriate action such as to deny payment or to insist on refund of sums provided in the event bribery has been proven after credit or other support has been approved.

Contact persons at CEB

Miloslav Dudek

International Relations

Tel.: 222 843 256

Fax: 224 228 593

 miloslav.dudek@ceb.cz