

**SURVEY ON MEASURES TAKEN TO COMBAT BRIBERY IN OFFICIALLY SUPPORTED  
EXPORT CREDITS – RUSSIAN FEDERATION (EXIAR) RESPONSES**

**SECTION I – GENERAL MEASURES TO DETER BRIBERY**

**Question 1**

Do you inform exporters and, where appropriate, applicants, requesting official export credit support about the legal consequences of the bribery in international business transactions under your national legal system including your national laws prohibiting such bribery?

☒ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☐ No

*If yes:*

a) Please indicate the method(s) by which this is accomplished:

- ☒ text in the application form
- ☐ a stand-alone document is provided to applicants
- ☐ text included in a stand-alone document submitted by applicants
- ☐ text in the general conditions of cover (*for export credit insurance and guarantees*)
- ☐ text in the credit agreement
- ☐ information posted on the organisation's web site
- ☐ customer publications (e.g. brochures, handbooks)
- ☐ other (please elaborate):


- b) Please provide the text used to describe the legal consequences of the bribery in international business transactions under your national legal system including your national laws prohibiting such bribery:

In Application form, we request the Exporter/Applicant to acknowledge that he is aware of legal consequences of bribery in international business transactions under its national legal system including its national laws prohibiting such bribery.

Particularly, for Exporters/Applicants registered in Russian Federation, the applicable provisions of Anti-Bribery law of Russian Federation are listed in the Application form (Article 19.28 of Code of Administrative Offences of the Russian Federation, articles 291.1 of Criminal Code of the Russian Federation.)


Comments/clarifications/additional information related to the answers provided above:

For a) and b): In some cases at the time of application for insurance, a separate form with anti-bribery declarations may be requested to be signed by Exporter (e.g. for confidentiality reasons whenever Exporter is not a party to insurance agreement).


Please describe any additional measures taken in relation to information provided to exporters/applicants:


## Question 2

Do you encourage exporters and, where appropriate, applicants, requesting official export credit support to develop, apply and document appropriate management control systems that combat bribery?

☒ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☐ No

*If yes:*

a) Please indicate how this is accomplished:

- ☒ text in the application form
- ☐ a stand-alone document is provided to applicants
- ☐ text in the general conditions of cover (*for export credit insurance and guarantees*)
- ☐ text in the credit agreement
- ☐ information posted on the organisation's web site
- ☐ customer publications (e.g. brochures, handbooks)
- ☐ other (please elaborate):


b) Please provide the text used to encourage exporters and, where appropriate, applicants, requesting official export credit support to develop, apply and document appropriate management control systems that combat bribery:

In Application form, we encourage the Exporter/Applicant to develop, apply and document appropriate management control systems that combat bribery.

Comments/clarifications/additional information related to the answers provided above:

For a) and b): In some cases at the time of application for insurance, a separate form with anti-bribery declarations may be requested to be signed by Exporter (e.g. for confidentiality reasons whenever Exporter is not a party to insurance agreement).


Please describe any additional measures taken in relation to exporter/applicant management control systems to combat bribery:


**Question 3**

Do you require exporters and, where appropriate, applicants, requesting official export credit support to provide an undertaking/declaration that neither they, nor anyone acting on their behalf, such as agents, have been engaged or will engage in bribery in the transaction?

☒ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☐ No

*If Yes:*

a) The requirement is communicated to exporters/applicants via:

- ☒ text in the application form
- ☐ a stand-alone document is provided to applicants
- ☐ text in the general conditions of cover (*for export credit insurance and guarantees*)
- ☐ text in the credit agreement
- ☐ information posted on the organisation's web site
- ☐ customer publications (e.g. brochures, handbooks)
- ☐ other (please elaborate):


b) The undertaking/declaration is obtained from exporters/applicants through:

- ☒ the application form
- ☐ a stand-alone document submitted by the exporter/applicant      ☐ *at the time of application*      ☐ *before support is provided*
- ☐ other (please elaborate):      ☐ *at the time of application*      ☐ *before support is provided*


c) Please provide the text of the requirement and/or the undertaking/declaration provided by exporters/applicants:

In Application form, we require the Exporter/Applicant to declare that neither he nor anyone acting on his behalf have been engaged or will engage in bribery.

Comments/clarifications/additional information related to the answers provided above:

For a), b) and c): In some cases at the time of application for insurance, a separate form with anti-bribery declarations may be requested to be signed by Exporter (e.g. for confidentiality reasons whenever Exporter is not a party to insurance agreement).

Please describe any additional measures taken in relation to exporter/applicant declarations/undertakings:


**Question 4**

Do you verify and note<sup>1</sup> whether exporters, and where appropriate, applicants, are listed on the publicly available debarment lists of the following international financial institutions (IFIs): World Bank Group, African Development Bank, Asian Development Bank, European Bank for Reconstruction and Development and the Inter-American Development Bank?

☒ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☐ No

*If Yes:*

a) Which actors associated with the transaction are subject to verification?

☒ the applicant      ☒ *at the time of application*      ☐ *before support is provided*  
☒ the exporter(s)      ☒ *at the time of application*      ☐ *before support is provided*  
☐ other (*e.g. agents – please elaborate*)      ☐ *at the time of application*      ☐ *before support is provided*


b) Please indicate how the verification is achieved:

☒ staff check the lists      ☒ *at the time of application*      ☐ *before support is provided*  
☒ exporter/applicant self-declaration      ☒ *at the time of application*      ☐ *before support is provided*  
☐ other (please elaborate):      ☐ *at the time of application*      ☐ *before support is provided*


Comments/clarifications/additional information related to the answers provided above:


Please describe any additional measures taken in relation to current or past debarment of exporters/applicants by other institutions:


<sup>1</sup> Such verification may take the form of a self-declaration from exporters and, where appropriate, applicants, as to whether they are listed on the publicly available IFI debarment lists.

**Question 5**

Do you require exporters and, where appropriate, applicants, to disclose whether they or anyone acting on their behalf in connection with the transaction are currently under charge in a national court or, within a five-year period preceding the application, have been convicted in a national court or been subject to equivalent national administrative measures for violation of laws against bribery of foreign public officials of any country?

☒ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☐ No

*If Yes:*

a) Please indicate how requirement is met:

- ☒ the application form provides for such disclosures to be made
- ☒ a stand-alone document requiring such disclosures must be provided by the exporter/applicant      ☒ *at the time of application*      ☐ *before support is provided*
- ☐ other (please elaborate):      ☐ *at the time of application*      ☐ *before support is provided*

In some cases at the time of application for insurance, a separate form with anti-bribery declarations/disclosures may be requested to be signed by Exporter (e.g. for confidentiality reasons whenever Exporter is not a party to insurance agreement).

Comments/clarifications/additional information related to the answers provided above:


Please describe any additional measures taken in relation to exporter/applicant disclosure of charges and/or convictions of bribery:


**Question 6**

Are agents' commissions (included in the export contract) eligible for official support?

☒ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☐ No

*If Yes:*

a) Do you apply a ceiling to agents' commissions for which official support is provided?

☐ Yes, always      ☐ Yes, sometimes (*please provide details below*)      ☒ No

*If Yes:*

b) Please provide details on the ceiling(s) applied:


c) What is the rationale for imposing a ceiling on agents' commissions?


Comments/clarifications/additional information related to the answers provided above:


Please describe any additional measures taken in relation to the eligibility for official support of agents' commissions:


**Question 7**

Do you require that details be provided in respect of agents' commissions associated with the transaction?

☐ Yes, always    ☒ Yes, sometimes (*please provide details below*)    ☐ No

*If yes:*

a) Do you require the **amounts** of commissions to be disclosed?

☐ Yes, always    ☒ Yes, sometimes (*please provide details below*)    ☐ No

*If yes, the amounts of commissions must be disclosed:*

- ☒ at the time of application
- ☐ before the final decision to provide support is made
- ☐ before a claim will be indemnified
- ☒ other (please elaborate):

As part of enhanced due diligence when deemed necessary

b) Do you assess whether the **level** of commissions is consistent with standard business practice?

☐ Yes, always    ☒ Yes, sometimes (*please provide details below*)    ☐ No

*If yes, the assessment is made:*

- ☒ at the time of application
- ☐ before the final decision to provide support is made
- ☐ before a claim will be indemnified
- ☒ other (please elaborate):

As part of enhanced due diligence when deemed necessary

c) Do you require the **purpose** of commissions to be clearly identified?

☐ Yes, always    ☒ Yes, sometimes (*please provide details below*)    ☐ No

*If yes, the purpose is identified:*

- ☒ at the time of application
- ☐ before the final decision to provide support is made
- ☐ before a claim will be indemnified
- ☒ other (please elaborate):

As part of enhanced due diligence when deemed necessary



d) Do you require that details (e.g. name, company, address) be provided in respect of the **agent(s)** to whom commissions are paid?

☐ Yes, always      ☒ Yes, sometimes (*please provide details below*)      ☐ No

*If yes, the details must be provided:*

- ☒ at the time of application  
☐ before the final decision to provide support is made  
☐ before a claim will be indemnified  
☒ other (please elaborate):

As part of enhanced due diligence when deemed necessary

Comments/clarifications/additional information related to the answers provided above:

In Application Form, we reserve the right to request the Exporter/Applicant to disclose, upon demand: (i) the identity of persons acting on their behalf in connection with the transaction, and (ii) the amount and purpose of commissions and fees paid, or agreed to be paid, to such persons.

Please describe any additional measures taken in relation to the collection of information on and/or review of agents' commissions:


**Question 8**

Have you developed and implemented procedures to disclose to your law enforcement authorities instances of credible evidence<sup>2</sup> of bribery?

☒ Yes    ☐ No

*If Yes:*

Please provide a short description of your policies and procedures:

In December 2013 the internal procedure document combatting the bribery in accordance with OECD Council Recommendation on Bribery and Officially Supported Export Credits was approved in EXIAR (new edition dated 23.06.2014). This procedure document contains the requirement and the description of procedure of disclosing to the law enforcement authorities the instances of credible evidence of bribery. As per the internal procedure document, the legal department informs the law enforcement authorities about the instances of credible evidence of bribery.

Comments/clarifications/additional information related to the answers provided above:


Please describe any additional measures taken in relation to the disclosure of information on possible instances of bribery to law enforcement authorities:


<sup>2</sup>

As defined in the OECD Council Recommendation on Bribery and Officially Supported Export Credits.

## SECTION II – ACTIONS TAKEN IN RELATION TO A SPECIFIC APPLICATION BEFORE CREDIT, COVER OR OTHER SUPPORT HAS BEEN APPROVED

### Question 9

If, **before** credit, cover or other support has been approved, you become aware that an exporter and, where appropriate, applicant (or anyone acting on their behalf in connection with the transaction) **are listed on any of debarment lists that you verify**, what action(s) are taken?

☒ Enhanced due diligence is undertaken. ☒ always ☐ sometimes (please provide details below)

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


*If enhanced due diligence is undertaken:*

a) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has in place appropriate management control systems that combat bribery?

☒ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

b) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has taken appropriate internal corrective and preventative measures after having been debarred?

☒ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

c) How is the application treated?

☒ The approval of the application is suspended pending the outcome of the enhanced due diligence process. ☒ always ☐ sometimes (please provide details below)

☐ No fixed policy.

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


Comments/clarifications/additional information related to the answers provided above:

The Agency internal procedure document on combating bribery which was mentioned before contains the description of enhanced due diligence process which depending on the case may include but be not limited to the request of the information about appropriate management control systems that combat bribery, corrective measures taken, maintained, documented, etc. However, it is worth mentioning that as of the time of filling in this questionnaire we haven't encountered any cases of Exporter/Applicant being listed on the debarment lists.


**Question 10**

If, **before** credit, cover or other support has been approved, you become aware that an exporter and, where appropriate, applicant (or anyone acting on their behalf in connection with the transaction) **is currently under charge in a national court for violation of laws against bribery of foreign public officials of any country**, what action(s) are taken?

☒ Enhanced due diligence is undertaken. ☒ always ☐ sometimes (please provide details below)

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


*If enhanced due diligence is undertaken:*

a) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has in place appropriate management control systems that combat bribery?

☒ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

b) How is the application treated?

☒ The approval of the application is suspended pending the outcome of the enhanced due diligence process. ☒ always ☐ sometimes (please provide details below)

☐ No fixed policy.

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


Comments/clarifications/additional information related to the answers provided above:

The Agency internal procedure document on combating bribery which was mentioned before contains the description of enhanced due diligence process which depending on the case may include but be not limited to the request of the information about appropriate management control systems that combat bribery, corrective measures taken, maintained, documented, etc. However, it is worth mentioning that as of the time of filling in this questionnaire we haven't encountered the cases mentioned in Question 10.


**Question 11**

If, **before** credit, cover or other support has been approved, you become aware that an exporter/applicant (or anyone acting on their behalf in connection with the transaction) **has been convicted in a national court or has been subject to equivalent national administrative measures for violation of laws against bribery of foreign public officials of any country within a five-year period**, what actions are taken?

- ☒ Enhanced due diligence is undertaken. ☒ always ☐ sometimes (please provide details below)
- ☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


*If enhanced due diligence is undertaken:*

- a) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has in place appropriate management control systems that combat bribery?

☒ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

- b) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has taken appropriate internal corrective and preventative measures after having been convicted?

☒ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

- c) How is the application treated?

☒ The approval of the application is suspended pending the outcome of the enhanced due diligence process. ☒ always ☐ sometimes (please provide details below)

☐ No fixed policy.

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


Comments/clarifications/additional information related to the answers provided above:

The Agency internal procedure document on combating bribery which was mentioned before contains the description of enhanced due diligence process which depending on the case may include but be not limited to the request of the information about appropriate management control systems that combat bribery, corrective measures taken, maintained, documented, etc. However, it is worth mentioning that as of the time of filling in this questionnaire we haven't encountered the cases mentioned in Question 11.


**Question 12**

If, **before** credit, cover or other support has been approved, you have reason to believe that **bribery may be involved in the transaction** (e.g. press reports from a reputable source, information provided by participants in the transaction) related to the award of the export contract, what action(s) are taken?

☒ Enhanced due diligence is undertaken. ☒ always ☐ sometimes (please provide details below)

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


*If enhanced due diligence is undertaken:*

a) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has in place appropriate management control systems that combat bribery?

☒ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

b) How is the application treated?

☒ The approval of the application is suspended pending the outcome of the enhanced due diligence process. ☒ always ☐ sometimes (please provide details below)

☐ No fixed policy.

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


Comments/clarifications/additional information related to the answers provided above:

The Agency internal procedure document on combating bribery which was mentioned before contains the description of enhanced due diligence process which depending on the case may include but be not limited to the request of the information about appropriate management control systems that combat bribery, corrective measures taken, maintained, documented, etc.


**Question 13**

If, **before** credit, cover or other support has been approved, you become aware of **credible evidence that bribery was involved in the award of the export contract for the transaction**, what action(s) are taken?

- ☒ Law enforcement authorities are informed. ☒ always ☐ sometimes (please provide details below)
- ☐ Enhanced due diligence is undertaken. ☐ always ☐ sometimes (please provide details below)
- ☐ Support is not provided for the transaction. ☐ always ☐ sometimes (please provide details below)
- ☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


*If enhanced due diligence is undertaken:*

- a) Does the enhanced due diligence process include, *inter alia*, verification that the exporter/applicant has in place appropriate management control systems that combat bribery?

☐ Yes, always ☐ Yes, sometimes (please provide details below) ☐ No

- b) How is the application treated?

☐ The approval of the application is suspended pending the outcome of the enhanced due diligence process. ☐ always ☐ sometimes (please provide details below)

☐ No fixed policy.

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


*If investigative authorities are informed:*

- c) How is the application treated?

☒ The approval of the application is suspended pending the outcome of the review by law enforcement authorities. ☒ always ☐ sometimes (please provide details below)

☐ No fixed policy.

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


Comments/clarifications/additional information related to the answers provided above:


### SECTION III – ACTIONS TAKEN IN RELATION TO A SPECIFIC TRANSACTION AFTER CREDIT, COVER OR OTHER SUPPORT HAS BEEN APPROVED

#### Question 14

If, **after** credit, cover or other support has been approved, you have reason to believe that **bribery may be involved in the transaction** (e.g. press reports from a reputable source, information provided by participants in the transaction) related to the award of the export contract, what action(s) are taken?

- ☐ Law enforcement authorities are informed.    ☐ *always*    ☐ *sometimes (please provide details below)*  
☒ Enhanced due diligence is undertaken.    ☒ *always*    ☐ *sometimes (please provide details below)*  
☐ Other (please elaborate):    ☐ *always*    ☐ *sometimes (please provide details below)*


Comments/clarifications/additional information related to the answers provided above:


#### Question 15

If, **after** credit, cover or other support has been approved, you become aware of **credible evidence that bribery was involved in the award of the export contract for a transaction**, what action(s) are taken?

- ☒ Law enforcement authorities are informed.    ☒ *always*    ☐ *sometimes (please provide details below)*  
☐ Other (please elaborate):    ☐ *always*    ☐ *sometimes (please provide details below)*


Comments/clarifications/additional information related to the answers provided above:




**Question 16**

If, **after** credit, cover or other support has been approved, **it is proven that bribery was involved in the award of the export contract for a transaction**, what action(s) are taken?

☒ Law enforcement authorities are informed. ☒ always ☐ sometimes (please provide details below)  
(only in relation to a conviction outside the Member's country)

☐ Loan disbursements are interrupted. ☐ always ☐ sometimes (please provide details below)

☒ Cover is invalidated (for export credit insurance and guarantees). ☐ always ☒ sometimes (please provide details below)

☒ Claims are not indemnified (for export credit insurance and guarantees). ☐ always ☒ sometimes (please provide details below)

☐ Recourse is sought for amounts disbursed. ☐ ☐

☒ Recourse is sought for claims that have already been paid (for export credit insurance and guarantees). ☒ always ☐ sometimes (please provide details below)

☐ Access to official support is denied for a specified period of time. ☐ always ☐ sometimes (please provide details below)

☐ Other (please elaborate): ☐ always ☐ sometimes (please provide details below)


Comments/clarifications/additional information related to the answers provided above:

The answer "sometimes" was chosen for "claims are not indemnified" since any action taken in respect to claim payment should not be prejudicial to the rights of any parties involved in the transaction that were not responsible for the bribery.


## SECTION IV – PAST EXPERIENCE

**Question 17**

Please indicate by marking the appropriate boxes if you have had any experience with the following scenarios related to the time **before** credit, cover or other support has been approved:

	<i>You became aware that an exporter/ applicant was on one of the debarment lists that you verify, and...</i>	<i>You became aware that an exporter/ applicant was under charge in a national court for bribery, and...</i>	<i>You became aware that an exporter/ applicant had been convicted in a national court or had been subject to equivalent national administrative measures for bribery, and...</i>	<i>You have reason to believe that bribery may be involved in the transaction (e.g. press reports from a reputable source, information provided by participants in the transaction), and...</i>	<i>You became aware of credible evidence that bribery was involved in the award of the export contract for a transaction, and...</i>
... you notified law enforcement authorities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
... you undertook enhanced due diligence.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you decided not to provide support for the transaction.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you suspended approval of the application pending the outcome of the enhanced due diligence process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you suspended approval of the application pending the outcome of the legal process.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
... [other].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
... [other].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please describe the circumstances of the actual incidents noted in the preceding table.<sup>3</sup> Please also provide information on any actions that were taken as a result of situations not listed in the table (*e.g.* Members who review the details of agents' commissions as part of the standard application process should provide information on any actions that were taken as a result of the review of commissions).

[illegible]

<sup>3</sup> It is recognised that Members may not be able to provide certain information in respect of a given transaction, *e.g.* if the transaction is subject to an ongoing investigation or prosecution or if the information is commercially confidential.

**Question 18**

Please indicate by marking the appropriate boxes if you have had any experience with the following scenarios related to the time **after** credit, cover or other support has been approved:

	<i>You became aware that an exporter/ applicant was under charge in a national court for bribery, and...</i>	<i>You became aware that an exporter/ applicant had been convicted in a national court or had been subject to equivalent national administrative measures for bribery, and...</i>	<i>You have reason to believe that bribery may be involved in the transaction (e.g. press reports from a reputable source, information provided by participants in the transaction), and...</i>	<i>You became aware of credible evidence that bribery was involved in the award of the export contract for a transaction, and...</i>	<i>It was proven that bribery was involved in the award of the export contract for a transaction, and...</i>
... you notified law enforcement authorities.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you interrupted loan disbursements.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you invalidated export credit cover.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you did not indemnify a claim.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you sought recourse for disbursed loan amounts.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...you sought recourse for claims that had already been paid.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
...denied access to official support for a specified period of time.	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
... [other].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
... [other].	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<div></div>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please describe the circumstances of the actual incidents noted in the preceding table.<sup>4</sup> Please also provide information on any actions that were taken as a result of situations not listed in the table.

[illegible]

<sup>4</sup> See footnote 3.

## SECTION V – PRACTICAL APPLICATION OF KEY TERMS

**Question 19**

Please provide a detailed description of your **Enhanced Due Diligence Procedures**, addressing, *inter alia*:

- Whether they comprise verification that the exporter/applicant has in place appropriate management control systems that combat bribery.
- Whether the procedures seek to verify whether an exporter/applicant that has been debarred by an IFI (or any other entity checked under your procedures) or convicted of bribery has taken appropriate internal corrective and preventative measures after having been debarred or convicted.
- The treatment of agents' commissions under the procedures.

Enhanced due diligence may include but be not limited to the request of the information:

- Whether Exporter, Applicant has in place appropriate management control systems that combat bribery;
- if corrective measures have been taken, maintained and documented;
- about persons acting on behalf of Exporter, Applicant in connection with the transaction, as well as information about the amount and purpose of commission and fees paid, or agreed to be paid, to such persons.

**Question 20**

Please describe how the term **Credible Evidence** is applied in practice under your system (*e.g.* who makes the assessment). Any Member who has adopted a definition which is broader (*i.e.* that sets a lower threshold) than the definition provided in footnote 5 of the OECD Council Recommendation on Bribery and Officially Supported export Credits should provide its definition.

The definition in OECD Council Recommendation on Bribery and Officially Supported Export Credits applies to credible evidence.
The assessment is made first by the department which is responsible for the coordination of implementation of OECD principles in Agency, which then informs the legal department which confirms the presence of credible evidence. Legal department informs the law enforcement authorities about the incidents of credible evidence of bribery.

**Question 21**

Please describe how the term **national court** is applied under your system (*i.e.* does it apply to any national court, or is it limited to certain national courts such as your own and/or or the national courts of the buyer/borrower country).

EXIAR requires the Exporters/Applicants to declare at the time of application if they are currently under charge of a competent authority (incl. court) or within a five-year period preceding the application have been convicted by a competent authority no matter the nationality.

## SECTION VI - FURTHER MEASURES

### **Question 22**

Are you considering any further general measures to deter bribery and/or changes to your policies and practices described in the survey?

☐ Yes ☒ No

Comments on measures and/or actions under consideration:


### **Question 23**

Would you be prepared to exchange information with other ECG Members about suspected and/or proven instances of bribery related to specific officially supported export credit transactions?

☒ Yes ☐ No

Comments:

Subject to legal provisions regarding confidentiality.



## SECTION VII – ADDITIONAL COMMENTS

Please provide any additional comments on the items covered in the survey, or in relation to any issue, policy, or practice which has not been addressed (including any additional measures you take to combat bribery).

[illegible]

Responses as at end-June 2015  
(The last update to responses: August 2014.)