

**SURVEY ON MEASURES TAKEN TO COMBAT BRIBERY IN OFFICIALLY SUPPORTED
EXPORT CREDITS –BELGIUM (DELCREDERE | DUCROIRE) 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:

On the application form,

The undersigned certifies/certify:

- that both the exporter and the intervening bank have knowledge of the act of 9th June 1999 pertaining to the approval of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, concluded on 17th December 1997 in Paris, as well as of the act of 9th February 1999 on combating corruption as modified by the act of 1st September 2006, Belgian Gazette of 4th May 2007,
- that they do not appear on publicly available exclusion lists of the following international financial institutions: the Worldbank group, the African Development Bank, the Asian Development Bank, the European Bank for Reconstruction and Development and the Interamerican Development Bank
- that they commit to revealing whether they themselves or any person acting on their behalf as part of the transaction are being prosecuted before a national tribunal or an administrative court or, in the last five years, have been convicted by a national tribunal or have been subject to equivalent national administrative measures for infringement of laws on combating bribery of foreign public officials in whichever country
- that he/they observe the standards laid down by international criminal law (as described in the explanatory note) and by Belgian criminal law, in the knowledge that any infringement of international or Belgian criminal law means the exclusion of the right to indemnity under the insurance contract

(taken from the following link - <http://www.delcredereducroire.be/en/products-and-services/contract-documents/>)

In the general terms,

2.1 No indemnification shall be due for a loss that is attributable, together with the covered causes defined in Article 1, to the fault of the insured or any person for whom the insured is responsible (subcontractors, authorised agents, persons acting on the insured's behalf and, where appropriate, partners).

2.2 Such fault may in particular consist of:

2.2.2 non-compliance with the legislation and regulations in force in Belgium or abroad, in particular with respect to the commissions, authorisations and formalities required for import, export or the transfer and conversion of payments;

...

12.5 The insured shall forfeit its rights and be obliged to reimburse any indemnity paid to it if it is subject to a final judgment, rendered on the basis of the criminal provisions enacted pursuant to the OECD Convention on Combatting Bribery of Foreign Public Officials in international business transactions, signed in Paris on 17 December 1997.

Delcredere | Ducroire's obligations shall be automatically suspended if legal proceedings are commenced against the insured on the basis of the abovementioned provisions.

The insured shall be obliged to report without delay any proceedings started or criminal conviction rendered against it.

See also the relevant Belgian laws, such as articles 246-252 of the Belgian Penal Code (public corruption) and article 504bis-504ter of the Belgian Penal Code (private corruption).

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

The declaration is annexed to the application form as a separate document.
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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):

If an exporter has been convicted, staff will verify whether management control systems have been developed.

Belgium has not changed its procedures but it must improve them to ensure that exporters are ALWAYS informed. Current procedures could contain loopholes whereby the exporters are not always informed. Therefore our answer is "sometimes".

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:

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

This practice will be described in the due diligence procedure which is currently under review.

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

Access to the relevant documentation is requested if necessary.

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):

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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*

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

See answer 1b

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

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

Question 4

Do you verify and note¹ 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

Declarations must be made by the requestor of official support.

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

Staff may further check information on specific websites.

Pls note that the internal anti-bribery procedure is currently under review.

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:

¹ 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*

The disclosure requirement is part of the application form. The undertaking/ declaration is to be obtained at the time of application.
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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:

In case of termination losses, loss accounts can include "lawful commissions paid to specified commercial agents." (article 14.1.1 of the General Terms)

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):

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):

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):

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):

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

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

Assessment on a case by case basis. If there are indications, the due diligence procedure takes place. This procedure is currently under review.
Details of the commissions are requested on a case by case basis depending on the exporter, the insured and the nature of the transactions. As indicated under question 6, Belgium will only support lawful commissions. Therefore details of the commissions will be asked to assess whether they are lawful or not.

Question 8

Have you developed and implemented procedures to disclose to your law enforcement authorities instances of credible evidence² of bribery?

☒ Yes ☐ No

If Yes:

Please provide a short description of your policies and procedures:

The disclosure procedure is under review.

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:

² 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)

The due diligence procedure is currently under review.

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:

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)*

The due diligence procedure is currently under review.

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:

When Delcredere Ducroire has general information (not on a specific case, but for example press rumours on an exporter), Delcredere Ducroire asks questions to the exporter. The result of the assessment will determine the follow-up to be given and whether the transactions can proceed and at which conditions.

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)*

The due diligence procedure is currently under review.

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:

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)

The due diligence procedure is currently under review.

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:

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)

Informing the authorities is a competence of the management or the board. The due diligence and divulgation procedures are currently under review.

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:

The due diligence and divulgation procedures are currently under review.

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)*

Case by case. The Chief Underwriting or Legal, the Compliance Officer, the Directors and the Board take the decision.

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

The law enforcement authorities are informed if required.
The due diligence and divulgation procedures are currently under review.

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)*

The disclosure is a competence of the management committee or the board.

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

The law enforcement authorities are informed if required.
The due diligence and divulgation procedures are currently under review.

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 due diligence and divulgation procedures are currently under review.

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 checked="" 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.³ 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).

A mother company located abroad had been accused of bribery abroad. The Belgian subsidiary company has been asked to explain their Management Control Systems. This case is more than a couple of years old already.

No recent experience.

³ 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.⁴ Please also provide information on any actions that were taken as a result of situations not listed in the table.

[illegible]

⁴ 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.

[illegible]

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 legal department altogether with the compliance officer (and if needed a specialized law firm) is involved to establish whether there is credible evidence.

This will be case by case using the definition provided in the OECD Council Recommendation.

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).

It applies to any relevant national court.

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:

The due diligence and disclosure procedures are currently under review.

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:

Only about proven instances of bribery or refused cover and if there is no breach of confidentiality. All the actions of enhanced due diligence cannot be shared.

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).

General remark: the information provided in this document comprises the core activities of Delcredere | Ducroire as an ECA.

The anti-bribery procedures previously in place are still valid. However, although we have had no concrete case, Belgium will review its procedures to ensure that they are watertight and that potential loopholes are eliminated. The due diligence and disclosure procedures are thus currently under review.

Responses as at end-June 2015
(The latest update to responses: 29 June 2015)