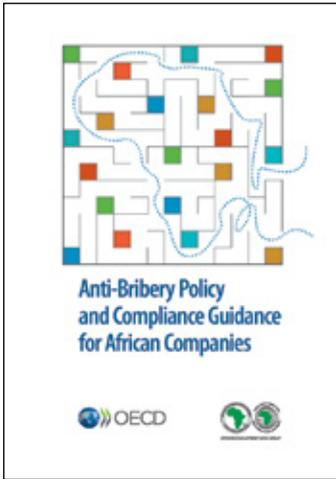


A powerful tool for fighting bribery in Africa

The African Development Bank estimates that USD 148 billion are lost to corruption in Africa every year.

Corruption is detrimental to economic, political and social development. It distorts market competition, undermines productivity and ultimately impedes sustainable economic growth. This can be measured in Africa. Indeed, while sub-Saharan Africa has become a commercially significant market, bribery and corruption risks are deterring higher rates of investment and the ability of companies to conduct business fairly on a level playing field. The African Development Bank estimates that USD 148 billion is lost to corruption in Africa every year. The bribery risks confronting both African and foreign companies in Africa, including small and medium-sized enterprises, can be attributed to multiple factors. These include:

- the prevalence of business sectors prone to corruption;
- predominantly cash-based economies;
- the requirement to use local agents to carry out projects;
- systemic public sector corruption; and
- weak law enforcement capacity often topped with lack of political will.



Anti-Bribery Policy and Compliance Guidance for African Companies

While the legal framework is changing in many African countries with the enactment of anti-corruption laws, the setting up of dedicated anti-corruption authorities, and greater scrutiny from civil society and the media, the business sector must also fight actively against bribery. Indeed, businesses paying bribes to obtain business contracts contribute to undermining the integrity of the public sector in the country in which they are operating, compounding the poverty and governance challenges. In turn, business has a key role to play in improving corporate integrity and accountability, while promoting growth through an environment conducive to attracting foreign investment.

Anti-Bribery Policy and Compliance Guidance for African Companies

The Anti-Bribery Policy and Compliance Guidance for African Companies is a practical, concise guide to help

African companies set up measures to stop the supply side of bribes to public officials in business transactions and support both the public and private sectors in their efforts to prevent bribery and improve the quality of corporate compliance and bribery prevention measures. The Guidance will help your company to draw up a corporate anti-bribery policy and related compliance measures. It also provides insight and ideas on how to put them into practice. Strong anti-corruption corporate compliance frameworks ultimately benefit all firms – foreign and domestic, large and small.

The Guidance draws on best practices from the OECD, the AfDB, the African Union, the UN, Joint Initiative member countries, international business associations and civil society. It also complements broader and more comprehensive anti-corruption compliance tools developed by the OECD, UNODC and the World Bank.

Checklists in the Guidance

1. How management can demonstrate leadership and commitment to the company's anti-bribery policy
2. Determining the status of a traditional leader/village elder
3. Addressing duress payments
4. Setting rules on gifts and hospitality
5. Avoiding bribes disguised as charitable donations
6. Avoiding bribes disguised as political donations
7. Handling bribery solicitation
8. Getting started with a bribery risk assessment
9. Mitigating third party bribery risks
10. Maintaining accurate books and records
11. Establishing a corporate whistleblowing mechanism



Supporting the implementation of your anti-bribery policy

This section outlines additional preventive and integrity due diligence measures your company can undertake to help with the transition of your company's anti-bribery policy to a more comprehensive anti-bribery programme.

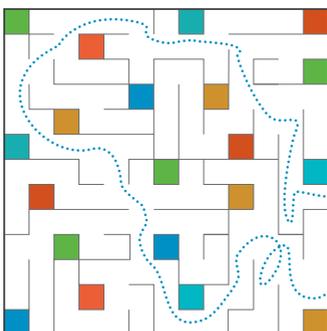
Developing your company's anti-bribery policy

The key components of a corporate anti-bribery policy. This section is intended to guide your company in developing its own policy and essential measures for its implementation.



Raising awareness of the law among employees

The primary legal sources from which anti-bribery preventive and compliance measures originate and why it is important for employees to be aware of both domestic and international law.



Industry collective action measures

An introduction to the concept of collective action – a relatively new domain that can complement your company's efforts to prevent the supply side of bribes and address bribe solicitation problems industry-wide.



Specific bribery risks for state-owned enterprises

The specific bribery risks that may confront state-owned enterprises (SOEs). Given the prominence of such entities in the region, this section sets out the main bribery risk areas for your company, whether it is an SOE or doing business with an SOE.



Overcoming challenges confronted by SMEs

The specific challenges confronted by small and medium-sized enterprises (SMEs) in implementing an anti-bribery policy and related compliance measures and provides insights on ways to overcome some of those obstacles.

The OECD-AfDB Joint Initiative to Support Business Integrity and Anti-Bribery Efforts in Africa (Joint Initiative)

supports efforts by Africa's private sector to improve corporate integrity and accountability and ultimately prevent bribery from occurring. The Joint Initiative developed this Anti-Bribery Policy and Compliance Guidance as a practical, concise guide to help African companies set up measures to stop the supply side of bribes to public officials in business transactions and support member countries' public and private sectors in their efforts to prevent bribery and improve the quality of corporate compliance and bribery prevention measures.

The Guidance will benefit the private sector's involvement in programmes that are funded by the African Development Bank (AfDB) and other multilateral development banks. The AfDB puts the development of integrity compliance programmes at the heart of its operations. This Guidance will assist companies that want to contract with the AfDB to put programmes in place that are aligned to the standards set by the AfDB's Integrity Compliance Guidelines. The Guidance will be disseminated throughout Joint Initiative member countries, and will be of use to both the public and private sectors in their on-going efforts to prevent bribery and improve the quality of corporate compliance and corruption prevention measures.



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