

**TRADE AND AGRICULTURE DIRECTORATE
TRADE COMMITTEE****Working Party on Export Credits and Credit Guarantees****SURVEY CONCERNING IMPLEMENTATION OF THE
RECOMMENDATION OF THE COUNCIL ON BRIBERY AND
OFFICIALLY SUPPORTED EXPORT CREDITS**

This document contains a Survey concerning implementation of the Recommendation of the Council on Bribery and Officially Supported Export Credits (OECD/LEGAL/0447).

Adherents to the Recommendation are invited to complete this Survey by Friday 28 February 2020 and, thereafter, to ensure that their responses remain up-to-date, at a minimum, on an annual basis.

The Secretariat will provide an annual review of Adherents' responses. Once finalised, these reviews will be made publicly available, together with Adherents' responses, on the OECD website.

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SURVEY CONCERNING IMPLEMENTATION OF THE RECOMMENDATION OF THE COUNCIL ON BRIBERY AND OFFICIALLY SUPPORTED EXPORT CREDITS

The aim of this Survey is to support and monitor the implementation of the Recommendation of the Council on Bribery and Officially Supported Export Credits (the “Recommendation”) [[OECD/LEGAL/0447](#)] by its Adherents. At its adoption by the OECD Council on 13 March 2019, the Adherents to the Recommendation were all OECD Members, plus Brazil, Colombia, Costa Rica, Peru and the Russian Federation

All institutions providing export credits support for or on behalf of Adherents to the Recommendation are invited to provide responses to this Survey by Friday 28 February 2020 and, thereafter, to update their responses on an on-going basis or, at a minimum, on an annual basis to reflect any changes in their policies and procedures for deterring and combatting bribery and/or to provide updated information on their experiences with bribery in international business transactions supported by officially supported export credits.

The Secretariat will provide an annual review of responses. Once finalised, these reviews will be made publicly available, together with Adherents’ responses, on the OECD website.

SECTION I – GENERAL INFORMATION

Question 1

Reporting country.

Question 2

Reporting authority, institution or Export Credit Agency (hereafter, “ECA”).

Question 3

Date of submission.

Question 4

Please provide a link to any relevant website pages where your national ECA bribery and other related policy statements or principles relevant to the implementation of the Recommendation may be found.

Question 5

5.1 Do you have national laws prohibiting bribery of:

a) Foreign public officials?

Yes / No

b) Domestic public officials?

Yes / No

5.2 Do you have laws prohibiting bribery in the private sector?

Yes (national laws) / Yes (in certain states, territories or equivalent) / No

5.3 Please provide any comments or additional information concerning your national laws prohibiting bribery.

SECTION II – GENERAL MEASURES TO DETER BRIBERY

Question 6

6.1 Do you:

a) Inform exporters and, where appropriate, other relevant parties¹ about the legal consequences of bribery in international business transactions under your national legal system, including national laws prohibiting bribery of foreign and domestic public officials and, where applicable, national laws prohibiting bribery in the private sector?

Yes, always / Yes, sometimes / No

b) Encourage exporters and, where appropriate, other relevant parties to develop, apply and document appropriate management control systems that prevent and detect bribery?

Yes, always / Yes, sometimes / No

c) Raise awareness that parties involved in international business transactions should also comply with all relevant laws and regulations prohibiting bribery in the country or jurisdiction where they are conducting business?

Yes, always / Yes, sometimes / No

d) Promote responsible business conduct among parties involved in applications for official export credit support?

Yes, always / Yes, sometimes / No

6.2 For each of Questions 6.1 a) to 6.1 d), if the response is “*yes, always*” or “*yes, sometimes*”:

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

Generic information:

- information posted on the ECA’s website
- customer publications (*e.g.* brochures, handbooks)
- other (please provide details)

Transaction-specific information:

- text in the application form
- a stand-alone document provided to exporters and, where appropriate, other relevant parties

¹ As defined in Section III of the Recommendation.

- text included in a stand-alone document submitted by exporters and, where appropriate, other relevant parties
 - text in the general conditions of cover
 - text in the credit agreement
 - other (please provide details)
- b) Please indicate which parties are targeted:
- exporter
 - applicant
 - buyer
 - borrower
 - other (please provide details)
- c) Please provide the text used.
- 6.3 For each of Questions 6.1 a) to 6.1 d), if the response is “*yes, sometimes*”:
- a) Please provide details of the criteria used to decide when to inform exporters and, where appropriate, other relevant parties.
- 6.4 For each of Questions 6.1 a) to 6.1 d), if the response is “*no*”:
- a) Please provide an explanation.
- 6.5 Please describe any additional measures undertaken in relation to informing exporters and, where appropriate, other relevant parties about general measures to deter bribery.

Question 7

7.1 Have you developed, applied and documented appropriate management control systems within your export credit system that seek to deter bribery in international business transactions?

Yes / No

- 7.2 If the response to Question 7.1 is “*yes*”:
- a) Please indicate which, if any, of the following are being applied:
- documented guidelines and procedures outlining the control systems in place (*e.g.* mandatory minimum data collection, mandatory screening against debarment lists, standardised due diligence processes, etc.).
 - a process for on-going monitoring (when necessary) of exporters and other relevant parties involved in transactions.
 - mandatory training for all employees.
 - monitoring and testing of procedures through internal audit or other means.
 - periodic reporting on the effectiveness of control systems.
 - other (please provide details).
- 7.3 If the response to Question 7.1 is “*no*”:
- a) Please provide an explanation.

7.4 Please provide any additional comments or information related to your management control systems.

Question 8

8.1 Have you developed and implemented policies and procedures, in accordance with your national laws on such disclosure, for disclosing credible allegations or evidence that bribery was involved in the award or execution of the export contract to law enforcement authorities?

- *Yes / No*

8.2 If the response to Question 8.1 is “yes”:

a) Please provide details.

8.3 If the response to Question 8.1 is “no”:

a) Please provide an explanation.

8.4 Please provide any additional comments or information related to your policies and procedures for disclosing information to law enforcement authorities.

SECTION III – SCREENING

Question 9

9.1 Do you require exporters and, where appropriate, other relevant parties to provide a declaration that, in the transaction neither they, nor any natural or legal person acting on their behalf in connection with the transaction, such as agents, have been engaged or will engage in bribery?

Yes, always / Yes, sometimes / No

9.2 If the response to Question 9.1 is “yes, always” or “yes, sometimes”:

a) Please provide information on whether the requirement for such a declaration is communicated to exporters and, where appropriate, other relevant parties *via*:

Generic information:

- information posted on the ECA’s website
- customer publications (*e.g.* brochures, handbooks)
- other (please provide details)

Transaction-specific information:

- text in the application form
- a stand-alone document provided to exporters and, where appropriate, other relevant parties
- text included in a stand-alone document submitted by exporters and, where appropriate, other relevant parties
- text in the general conditions of cover
- text in the credit agreement
- other (please provide details)

b) Please provide information on whether the declaration is obtained from exporters and, where appropriate, other relevant parties through:

- the application form
- a stand-alone document
- other (please provide details)

c) Which parties are required to provide such a declaration²?

- exporter
- applicant
- buyer
- borrower
- agents
- other (please provide details)

d) Which of the following elements is included in the declaration³?

Whether the party providing the declaration or any natural or legal person acting on their behalf in connection with the transaction, such as agents:

- is currently under charge in any court or, to the best of their knowledge, is formally under investigation by public prosecutors for violation of laws against bribery of any country;
- within a five-year period preceding the application, has been convicted in any court for violation of laws against bribery of any country, been subject to equivalent measures⁴, or been found as part of a publicly-available arbitral award to have engaged in bribery; and
- is currently listed on the publicly-available debarment lists of one of the Multilateral Financial Institutions (MFIs)⁵.

Whether any commissions and fees paid, or agreed to be paid, to any natural or legal person acting on their behalf in connection with the transaction, such as agents, is, or will, be for legitimate services only.

e) At what stage of the screening and due diligence processes are the declaration(s) obtained:

- at the time of application
- just before support is provided
- both at the time of application and again just before support is provided

² For this Question, Adherents will be invited to respond by product and to state whether the scope of bribery (*i.e.* bribery of foreign public officials, bribery of domestic public officials and/or private sector bribery) differs for any particular product or party involved in a transaction.

³ For this Question, Adherents will be invited to indicate whether the scope of the declaration differs for any particular product or party involved in a transaction.

⁴ As defined in Section III of the Recommendation.

⁵ As defined in Section III of the Recommendation.

f) Please provide the text(s) of the declaration provided by exporters and, where appropriate, other relevant parties.

9.3 If the response to Question 9.1 is “*yes, sometimes*”:

a) Please provide details of:

- the criteria used to decide when to require a declaration; and
- the percentage of transactions supported during the past year that have required declarations, broken down, if appropriate, by product.

9.4 If the response to Question 9.1 is “*no*”:

a) Please provide an explanation.

9.5 Please describe any additional measures taken in relation to declarations.

Question 10

10.1 In addition to any information provided in the declarations [Question 9.2 d) refers], do you verify whether exporters and, where appropriate, other relevant parties, are listed on the publicly-available debarment lists of one of the MFIs?

Yes, always / Yes, sometimes / No

10.2 If the response to Question 10.1 is “*yes, always*” or “*yes, sometimes*”:

a) Which parties associated with the transaction are subject to verification⁶?

- exporter
- applicant
- buyer
- borrower
- agents
- other (please provide details)

b) At what stage of the screening and due diligence processes does the verification take place?

- at the time of application
- just before support is provided
- both at the time of application and again just before support is provided

10.3 If the response to Question 10.1 is “*yes, sometimes*”:

a) Please provide details of:

- the criteria used to decide when to undertake a verification; and
- the percentage of transactions supported during the past year that have required verification, broken down, if appropriate, by product.

⁶ For this Question, Adherents will be invited to indicate whether the parties subject to such verification differ by product.

10.4 If the response to Question 10.1 is “no”:

a) Please provide an explanation.

10.5 Please describe any additional measures taken in relation to verification of debarment lists.

Question 11

11.1 From a policy perspective, are agents' commissions (included in the export contract) eligible for official support?

Yes, always / Yes, sometimes / No

11.2 If the response to Question 11.1 is “yes, always” or “yes, sometimes”:

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

Yes, always / Yes, sometimes / No

11.3 If the response to Question 11.2 a) is “yes, always” or “yes, sometimes”:

a) Please provide details of the ceiling applied, specifically if the threshold is a percentage or monetary value.

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

11.4 If the response to Question 11.2 a) is “yes, sometimes”:

a) Please provide details for the criteria used to decide whether to apply a ceiling.

11.5 If the response to Question 11.2 a) “no”:

a) Please provide an explanation.

11.6 If the response to Question 11.1 is “yes, sometimes”:

a) Please provide details of the criteria used to decide when agents' commissions are eligible for official support.

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

Question 12

12.1 As part of your standard screening process for all transactions, do you require disclosure of:

- the involvement of any natural or legal person, such as agents, acting on behalf of the exporter and, where appropriate, other relevant parties in connection with the transaction?

Yes, always / Yes, sometimes / No, only during enhanced due diligence

12.2 If the response to Question 12.1 is “yes, sometimes”:

a) Please provide details of the criteria used to decide when to require such disclosure.

12.3 If the response to Question 12.1 is “yes, always” or “yes, sometimes”:

a) Do you also require disclosure of detailed information concerning such involvement as part of your standard screening process for all transactions?

Yes, always / Yes, sometimes / No, only during enhanced due diligence

12.4 If the response to Question 12.3 is “yes, always” or “yes, sometimes”:

- a) What information is requested?
- the identity of any natural or legal person, such as agents, acting on behalf of the exporter and, where appropriate, other relevant parties in connection with the transaction;
 - the amount of commissions and fees paid, or agreed to be paid, to such persons;
 - the purpose of the commissions and fees paid, or agreed to be paid; and
 - the country or jurisdiction in which the commissions and fees have been paid, or agreed to be paid?

Yes, always / Yes, sometimes / No, only during enhanced due diligence

12.5 If the response to Question 12.4 is “yes, always” or “yes, sometimes”:

- a) Do you verify whether the following appear appropriate and for legitimate services only?
- the background and suitability of the persons, including, for example, experience with similar transactions, potential links to Politically Exposed Persons, etc.;
 - the level of commissions and fees paid, or agreed to be paid;
 - the purpose of such commissions and fees; and
 - the location of such payments.

Yes, always / Yes, sometimes / No, only during enhanced due diligence

12.6 If the response to Question 12.5 a) is “yes, always” or “yes, sometimes”:

- a) Please describe how the assessment is undertaken.

12.7 If the response to Question 12.5 a) is “yes sometimes”:

- a) Please provide details of the criteria used to decide when to undertake such an assessment during screening.

12.8 If the response to Question 12.4 is “yes, sometimes” or “no, only during enhanced due diligence”:

- a) Please provide details of the criteria used to decide when you require disclosure of detailed information relating to the use of agents or the rationale for not requiring detailed information relating to the use of agents as part of your standard screening process for all transactions.

12.9 Please describe any additional screening undertaken on the use of agents, either systematically for all transactions or on a case-by-case basis.

Question 13

13.1 Please describe your approach to screening transactions when providing re-insurance to another ECA, which is applying the Recommendation. For example, do you undertake your own screening activities (requiring declarations, verifying debarment lists and/or assessing agents’ commissions) or rely on the lead ECA?

SECTION IV – ENHANCED DUE DILIGENCE

Question 14

14.1 Which of the following circumstances might trigger enhanced due diligence of a transaction or a party involved in a transaction.

- Adverse media reports from a reputable source.
- Adverse information provided by one of the parties involved in the transaction.
- One of the parties involved in the transaction, or any natural or legal person acting on their behalf in connection with the transaction, such as agents, is currently under charge in any court or formally under investigation by public prosecutors for violation of laws against bribery of any country.
- One of the parties involved in the transaction, or any natural or legal person acting on their behalf in connection with the transaction, such as agents, has, within a five-year period preceding the application, been convicted in any court for violation of laws against bribery of any country, been subject to equivalent measures, or been found as part of a publicly-available arbitral award to have engaged in bribery.
- One of the parties involved in the transaction, or any natural or legal person acting on their behalf in connection with the transaction, such as agents, is currently listed on the publicly-available debarment lists of one of the MFIs.
- The transaction involves a higher risk country or jurisdiction.
- The transaction involves a higher risk industry or sector.
- The transaction involves a sovereign or state-owned enterprise.
- The transaction involves a Politically Exposed Person.
- Whistle-blower information.
- You have other reasons to believe that bribery may be involved in the transaction or require additional information to allay any suspicions of bribery.
- Other (please provide details).

14.2 In such circumstances (as listed in Question 14.1):

a) What other action(s) might be available for you to take?

- Approval of the application is suspended pending the outcome of the enhanced due diligence.
- Law enforcement authorities are informed.
- Approval of the application is suspended pending the outcome of the court case (if a party is under charge) or formal investigation.
- Support for the application is refused.
- Other (please provide details).

b) Please describe the criteria used for deciding which actions are taken.

14.3 Please provide any additional comments or information related to the responses provided above.

Question 15

15.1 If enhanced due diligence is undertaken:

- a) Does it include, for example (and where relevant):
- verifying the circumstances surrounding the charges or investigation.
 - considering the nature of the court and legal system (*i.e.* the possibility of vexatious charges or investigations).
 - verifying the circumstances surrounding any previous experience with bribery and that any previous convictions and/or violations have been remedied.
 - verifying the circumstances surrounding the listing on a MFI debarment list.
 - verifying and noting whether additional parties involved in a transaction are listed on the publicly-available debarment lists of one of the MFIs.
 - consideration of any statements or reports made publicly available by your National Contact Point (NCP) at the conclusion of a specific instance in accordance with the procedure under the MNE Guidelines.
 - verifying that the party concerned has taken, maintained and documented appropriate internal corrective and preventative measures, such as:
 - replacing individuals that had been involved in the bribery;
 - adopting appropriate anti-bribery management control systems; and
 - submitting to an audit and making the results of such periodic audits available.
 - extending due diligence to other parties involved in a transaction, including:
 - joint ventures and consortia partners;
 - beneficial ownership;
 - financial condition of any of the transaction parties; and
 - other parties (please describe).
 - other elements (please describe).
- b) Please describe the criteria used for deciding what enhanced due diligence is undertaken.

15.2 Who is responsible for undertaking enhanced due diligence (ECA staff or external advisors) and, if on a case-by-case basis, what criteria are used for deciding when to involve external advisors?

15.3 Please provide any additional comments or information related to the responses provided above.

Question 16

16.1 Please describe your approach to undertaking enhanced due diligence when providing re-insurance to another ECA, which is applying the Recommendation. For example, do you undertake your own enhanced due diligence or rely on the lead ECA?

Question 17

17.1 If detailed information concerning the use of agents is not systematically required during the screening process (*i.e.* the response to Question 12.3 is “*yes, sometimes*” or “*no, only during enhanced due diligence*”), please answer the following questions:

a) Please provide details of the criteria used to decide when to require disclosure of the information as part of enhanced due diligence.

17.2 What information is required?

- the identity of any natural or legal person, such as agents, acting on behalf of the exporter and, where appropriate, other relevant parties in connection with the transaction;
- the amount of commissions and fees paid, or agreed to be paid, to such persons;
- the purpose of the commissions and fees paid, or agreed to be paid; and
- the country or jurisdiction in which the commissions and fees have been paid, or agreed to be paid.

Yes, always / Yes, sometimes / No

17.3 If the response to Question 17.2 is “*yes, always*” or “*yes, sometimes*”:

a) Do you verify whether the following appear appropriate and for legitimate services only?

- the background and suitability of the persons, including, for example, experience with similar transactions, potential links to Politically Exposed Persons, etc.;
- the level of commissions and fees paid, or agreed to be paid;
- the purpose of such commissions and fees; and
- the location of such payments.

Yes, always / Yes, sometimes / No

17.4 If the response to Question 17.3 a) is “*yes, always*” or “*yes, sometimes*”:

a) Please describe how the assessment is undertaken.

17.5 If the response to Question 17.3 a) is “*yes sometimes*”:

a) Please provide details of the criteria used to decide when to undertake such an assessment.

17.6 If the response to Question 17.2 is “*yes, sometimes*” or “*no*”:

a) Please provide details of the criteria used to decide what information is required concerning the use of agents or the rationale for not requiring this information when undertaking enhanced due diligence on the use of agents.

17.7 Please describe any additional enhanced due diligence undertaken on the use of agents, either systematically for all transactions or on a case-by-case basis.

SECTION V – EVALUATION AND DECISION

Question 18

18.1 You become aware of a credible allegation or evidence that bribery was involved in the award or execution of the export contract before official export credit support is provided.

- a) What action(s) is(are) available for you to take?
- Law enforcement authorities are informed: *always / sometimes / never*

18.2 If the response to Question 18.1 is not “*always*” informed:

- a) Please explain, including any criteria for deciding whether to inform them.

18.3 During any investigation by law enforcement authorities:

- a) How is the application treated?
- Approval of the application is suspended pending the outcome of the investigation.
 - Enhanced due diligence is undertaken (please provide details).
 - Support for the application is refused.
 - Other (please provide details).
- b) Please describe the criteria used for deciding which actions are taken.
- c) Please provide details of any circumstances in which you might decide to support a transaction before completion of any investigation by law enforcement authorities.

18.4 Please provide any additional comments or information related to your treatment of credible allegations or evidence of bribery.

Question 19

19.1 In the event that support is to be provided:

- a) What types of bribery-related conditions for official support do you apply?
- Warranties, in appropriate documentation, that you will be informed of any material changes to the declarations provided in accordance with paragraph V of the Recommendation.
 - Warranties, in appropriate documentation, that exporters and, where appropriate, other relevant parties and any natural or legal person acting on their behalf in connection with the transaction, such as agents, have complied and will comply with all relevant laws and regulations prohibiting bribery in the country or jurisdiction where they are conducting business.
 - Rights to audit or review a party’s management control systems, the transaction for which support is provided, including all relevant payments, etc.
 - Other (please provide details).

19.2 Please provide details of:

- the criteria used for deciding which conditions for official support are applied; and
- the frequency during the past year that you applied such bribery-related conditions for official support (if available, please provide the percentage of transactions supported with such conditions).

19.3 Please provide any additional comments or information related to the responses provided above.

SECTION VI – POST-FINAL COMMITMENT

Question 20

20.1 You become aware of a credible allegation or evidence that bribery was involved in the award or execution of the export contract after official export credit support has been provided.

- a) What action(s) is(are) available for you to take?
- Law enforcement authorities are informed: *always / sometimes / never*

20.2 If the response to Question 20.1 is not “*always*” informed:

- a) Please explain, including any criteria for deciding whether to inform them.

20.3 Please provide any additional comments or information related to your policies and procedures for treating transactions where you become aware of a credible allegation or evidence that bribery was involved in the award or execution of the export contract.

Question 21

21.1 One of the parties involved in the transaction is, in relation to the transaction, convicted of violation of laws against bribery, subjected to equivalent measures, or found as part of a publicly-available arbitral award to have engaged in bribery after official export credit support has been provided.

- a) What action(s) is (are) available for you to take?
- Law enforcement authorities are informed (*only in relation to a conviction outside the Adherent’s country*).
 - Enhanced due diligence is undertaken (please provide details).
 - Loan disbursements are interrupted.
 - Cover is invalidated.
 - Claims are not indemnified.
 - Recourse is sought for amounts disbursed.
 - Recourse is sought for claims that have already been paid.
 - Access to official support is denied for a specified period of time (*i.e.* you have an ECA-specific or national debarment system).
 - Other (please provide details).
- b) Please describe the criteria used for deciding which actions are taken.

21.2 Please provide any additional comments or information related to your policies and procedures for treating transactions where bribery is found to have occurred.

SECTION VII – REPORTING AND MONITORING

Question 22

22.1 Do you have policies and procedures in place for:

- Monitoring and evaluating your experience with the Recommendation at a national level? If so, please provide details.
- Sharing experiences and good practices with other Adherents? If so, please provide details.

Question 23

23.1 Are you considering any further measures to enhance and improve your procedures at a national level to deter and combat bribery in international business transactions benefitting from official export credit support, including changes to ECA policies, practices or resources? If so, please provide details.

Question 24

24.1 Please indicate if, during the past year, you have had any experience with the following scenarios related to the time before official export credit has been provided:

- You became aware that an exporter, other relevant party, or any natural or legal person acting on their behalf in connection with the transaction, such as an agent, was under charge in any court or was formally under investigation by public prosecutors for violation of laws against bribery of any country.
- You became aware that, within a five-year period preceding the application, an exporter, other relevant party, or any natural or legal person acting on their behalf in connection with the transaction, such as an agent, had been convicted in any court for violation of laws against bribery of any country, been subject to equivalent measures, or been found as part of a publicly-available arbitral award to have engaged in bribery.
- You became aware that an exporter, other relevant party, or any natural or legal person acting on their behalf in connection with the transaction, such as an agent, was on one of the publicly-available debarment lists of one of the MFIs.
- You had reason to believe that bribery may be involved in the transaction under consideration (*e.g.* press reports from a reputable source, information provided by parties involved in the transaction, whistle-blower information, etc.).
- You became aware of credible evidence that bribery was involved in the award or execution of the export contract for the transaction under consideration.
- Other circumstances (please provide details) that have resulted in action(s) before official export credit support has been provided.

and:

- You undertook enhanced due diligence.
- You suspended approval of the application pending the outcome of the enhanced due diligence.
- You notified law enforcement authorities.

- You suspended approval of the application pending the outcome of the court case (if a party is under charge) or formal investigation.
- You decided not to provide support for the transaction.
- Other (please provide details)

24.2 Consistent with your national laws on such disclosures, please describe the circumstances of the actual incidents⁷.

Question 25

25.1 Please indicate if, during the past year, you have had any experience with the following scenarios related to the time after official export credit support has been provided:

- You became aware that the information provided in the declarations during screening was purposely incorrect, *i.e.* a party was under charge, knew that it was under formal investigation, had been convicted / subject to equivalent measures / been found as part of a publicly-available arbitral award to have engaged in bribery, or was listed on the publicly-available debarment lists of one of the MFIs.
- You became aware that an exporter, other relevant party, or any natural or legal person acting on their behalf in connection with the transaction, such as an agent, had been charged in any court or been placed formally under investigation by public prosecutors for violation of laws against bribery of any country after official support was provided, but not necessarily in relation to the supported transaction.
- You became aware that an exporter, other relevant party, or any natural or legal person acting on their behalf in connection with the transaction, such as an agent, had been convicted in any court for violation of laws against bribery of any country, been subject to equivalent measures, or been found as part of a publicly-available arbitral award to have engaged in bribery after official support was provided, but not necessarily in relation to the supported transaction.
- You became aware that an exporter, other relevant party, or any natural or legal person acting on their behalf in connection with the transaction, such as an agent, had been listed on one of the publicly-available debarment lists of one of the MFIs after official support was provided, but not necessarily in relation to the supported transaction.
- You had reason to believe that bribery may be involved in the supported transaction (*e.g.* press reports from a reputable source, information provided by parties involved in the transaction, whistle-blower information, etc.).
- You became aware of credible evidence that bribery was involved in the award or execution of the export contract for the supported transaction.
- Other circumstances (please provide details) that have resulted in action(s) after support has been provided.

and:

- You undertook enhanced due diligence.

⁷ It is recognised that Adherents 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.

- You notified law enforcement authorities.
- You interrupted loan disbursements.
- You invalidated export credit cover.
- You did not indemnify a claim.
- You sought recourse for disbursed loan amounts.
- You sought recourse for claims that had already been paid.
- You denied access to official support for a specified period of time.
- Other (please provide details).

25.2 Consistent with your national laws on such disclosures, please describe the circumstances of the actual incidents.

Question 26

26.1 Consistent with your national laws on such disclosures, please provide relevant information on any instances during the past year of transactions where bribery was involved in the award or execution of an export contract resulting in a conviction for violation of laws against bribery or equivalent measures against one of the parties involved in the transaction or where one of these parties was found, as part of a publicly-available arbitral award, to have engaged in bribery, including:

- the outcome of the process (*i.e.* conviction, equivalent measures or arbitral award);
- the party concerned⁸; and
- the appropriate action(s) taken.

26.2 Please provide any additional comments or information related to your experience with treating transactions where bribery is found to have occurred.

SECTION VIII – ADDITIONAL COMMENTS

Question 27

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 taken to deter and combat bribery).

⁸ Name (if permitted by national laws on such disclosure) and/or role of the party concerned, *e.g.* exporter, applicant, buyer, borrower, agent, other (please provide details).