



ANTICORRUPTION CODE OF CONDUCT AND ANTI-FRAUD POLICY

Article 1, Basic principles

One of the key factors for the reputation of an organisation is its ability to carry out its mission with loyalty, fairness, transparency, honesty and integrity, in compliance with national and international laws, regulations and guidelines regarding social responsibility. Transparency, clarity within the framework of accepted conducts and compliance with anticorruption and anti-fraud regulations are the basic principles of this document. Its purpose is not only to provide all ASIA staff with the rules to be followed to ensure compliance with the Laws, wherever they carry out their activities, but also to ensure the maintenance of the highest levels of integrity.

This Code, together with ASIA's Code of Ethics and Conduct, has the aim to define the guidelines to ensure that the aforementioned principles are respected, to formally define ASIA's commitment not to admit any form of illicit conduct, corruption and fraud, and to observe the relevant regulations in force. Moreover, ASIA is part of a broader programme of regulatory compliance that the Organisation intends to develop and maintain over time.

Article 2, Definitions

Corruption: Corruption is defined as any abuse of a position of trust to gain an improper advantage. Anticorruption Laws define the direct or indirect promise, offer, payment or acceptance of money or other benefits for the purpose of obtaining or retaining a business and securing an unfair advantage through conduct by public and private counterparties that is contrary to professional or official duties as illegal. Corruption includes both the conduct of the person who abuses their position of trust and the conduct of the person who provides an undue advantage in return.

Fraud: Fraud is defined as any intentional and illegal, illicit, immoral, dishonest or improper conduct, characterised by deception and violation of the trustful relationship, with the aim of obtaining an unfair advantage, gain or profit for oneself or of causing damage or loss to the Organisation or a third party.

Facilitation Payments: unofficial payments made to a Public Official for the purpose of expediting, facilitating or ensuring the implementation of a routine activity or an activity within the duties of a Public Official.

Line Manager: person who holds the position of Executive Manager and is directly responsible for the management of one or more employees/collaborators.

Employees: all collaborators who carry out activities on behalf of ASIA, whether they are direct employees or not.

Third Parties: partners, consultants (both professionals and companies), donors, local counterparties and other representatives who carry out activities on behalf of or in the interest of ASIA.

Partners: each third party with whom ASIA cooperates in the development of project initiatives and ordinary activities.



Public Officials: any person exercising a legislative, judicial or administrative public function; any person acting in an official capacity in the interest of or on behalf of a national, regional or local public administration; officials of any international public organisation (UN and UN Agencies, European Union, Echo, Revenue Agency, Municipalities, etc.)

Article 3, Scope

This Code applies to all ASIA staff, partners and all third parties who carry out activities for, in the name of and on behalf of the Organisation, even if they are not directly employed by the latter, regardless of their geographical position.

Article 4, Fraud

Illegal behaviours take the form of:

- Embezzlement of tangible and intangible assets: theft, destruction, removal, misappropriation, improper use of money, material data, equipment or other assets belonging to the Organisation;
- Commercial fraud: forgery, fraud related to the quality of services, fraud against third parties and any conduct that may misrepresent the quality of the offered services;
- Fraudulent and untruthful representation of facts: intentional untruthful representation of material facts on which third parties rely on, in order to induce them to act and consequently suffer damage;
- Corruption.

Article 5, Corruption

Unlawfully donating, paying, requesting or receiving money or other benefits, in a direct or indirect way, is illegal and violates this Code. There is no monetary limit that identifies a payment as an act of corruption. Any transaction of money or any valuable benefit that is intended to unlawfully influence another person's actions is considered an act of corruption. This includes also payments or gifts given as compensation for improper actions that are carried out by other parties. It is prohibited to make any kind of payment, offer or receive any valuable benefit in the framework of relations with Public Officials with the aim to obtain or retain an assignment or any other advantage in favour of ASIA.

Article 6, Facilitation Payments

Facilitation payments are a form of corruption or bribery. Any type of payment or utility donation to a Public Official in order to obtain or retain an office or any other type of economic advantage in favour of ASIA constitutes an illicit conduct.

If one is required to make a payment on behalf of ASIA, one should always be aware of the purpose of such payment and determine whether the amount requested is proportionate to the provided goods or services. It is also advisable, in any case, to request a receipt stating the purpose of the payment and immediately inform the Line Manager.

Article 7, Gifts, hospitality, entertainment and travel expenses

ASIA prohibits its staff from making or receiving gifts, financial benefits or other utilities. The costs

incurred for the purchase of goods or services in favour of third parties (people, bodies or companies) are defined as representation and hospitality expenses and are justified by ASIA's social activities. They are characterised by the absence of a compensation. All representation expenses must be accurately and transparently recorded in the Organisation accounting books in sufficient detail and must report adequate supporting documentation in order to identify the name of the beneficiaries, as well as the purpose of the payment.

Article 8, Accounting books, accounting records and internal control requirements

The Organisation records must comply with the applicable accounting principles and must fully and transparently reflect the facts underlying each transaction. In line with the abovementioned provisions, ASIA ensures that all Organisation payments and operations are accurately recorded in the relevant books and registers, so that books, registers and accounting reflect operations and provisions of goods in detail and correctly. This principle applies to all transactions and expenses, whether they are significant or not in accounting terms. Furthermore, as required by internal procedures, the accounting criteria and budgetary accounts to adopt for the registration of mission operations are specifically defined; all transactions are truthfully and correctly recorded in accounting books.

Article 9, Third Parties

ASIA requires that relations with third parties (suppliers, customers, consultants, donors, plus other natural and juridical people and *de facto* bodies), that are maintained during the course of all activities, must be based on criteria of utmost correctness, transparency and traceability of the information sources, as well as in compliance with Anticorruption Laws and all other applicable laws. Particular attention must be paid to potential situations of risk for corruption that can be undertaken or attempted towards Public Officials in relation to associations with the Public Administration.

- a. Suppliers: all Organisation suppliers have the obligation to respect the ethical standards and qualification requirements that are established by this Code. In particular, suppliers are forbidden to engage in behaviours that can hold the Organisation responsible for corruption activities. Any conduct or behaviour which is contrary to the duties of diligence, loyalty and professionalism, aimed at offering or obtaining an amount of money or other benefits that are illegitimate, or in any case not due, in exchange for the services respectively received or provided is prohibited.
- b. Consultants: as part of its mission-related activities, ASIA may rely on the support of external consultants. The Organisation stresses the importance of adequately assessing consultants, especially in terms of reliability and integrity, in order to determine the reasonable possibility that any of them may engage in activities that are prohibited by this Code or by Anticorruption Laws.
- c. Partners: ASIA carries out adequate assessments to know the reputation and reliability of its partners and be able to assess the risks that may arise from activities that are not in line with internal regulations and/or ASIA's ethical principles. Particularly, in order to avoid that, under certain circumstances, ASIA may be held liable for corruption that is committed by Partners, these are required to meet the standards that are set out in this Code and the provisions of Anticorruption Laws.

Article 10, Selection and Recruitment of Staff

ASIA guarantees that the process of selection, recruitment and management of staff complies with the principles of professionalism, transparency and fairness, as stated in the applicable Laws and regulations, and ensures that all activities are in compliance with the Organisation's procedures and



observe the principles that are set out in this Code.

Article 11, Staff training

ASIA staff shall be informed and trained on the applicable Anticorruption Laws and on the importance of complying with these Laws and this Code in order to clearly understand and be aware of the different types of offences, risks, personal and administrative responsibilities for the Organisation. Moreover the staff shall be informed of the actions to undertake with the purpose of countering corruption, as well as possible penalties for breaching the Code and Anticorruption Laws (of both the individuals involved and ASIA as juridical person). To this end, all employees will be given a copy of the Code of Conduct and will receive specific training on its content and on the relevant laws, both in case of a new recruitment and in case of allocating new responsibilities.

Article 12, Obligation to report violations

ASIA employees are required to report any possible or alleged violation of this Code, of internal or external regulations, of ethical principles or any Anticorruption Law, made by the Organisation, a colleague, a collaborator or a third party, including requests or offers for undue payments originating from them. This kind of report should be sent mail to curruption@asia-ngo.org and to the Legal Representative and to the members of the Board of Directors (or only to the Board of Directors, if the suspect is the Legal Representative). In cases of serious violations, the right to report to the competent authorities remains unaffected.

Failure by an employee to report a known or alleged unlawful action, of which one has become aware, will subject the said employee to possible disciplinary measures. The Organisation ensures that no employee shall suffer adverse consequences for refusing to adopt a conduct that violates this Code, even if this would result in ASIA losing business, funds or would adversely affect its programs.

Article 13, Monitoring

ASIA's Legal Representative, in the exercise of his management and control duties, identifies a suitable control system within the organisational structure to ensure and guarantee monitoring of the effective implementation of the provisions stated in this Code and, more generally, of the Organisation's regulatory compliance programme. Any possible person responsible for such monitoring activities, whenever they deem it appropriate, must report to the Legal Representative on the carried-out activities, on any significant circumstance or fact of their office and/or on any critical aspect of this Code that have emerged as part of the monitoring activity.

Article 14, Implementation and legal framework

The violation of this Code may result in disciplinary actions against an employee, including their dismissal. ASIA will not have further relations with third parties who have violated this Code. If reports are made to the police or other authorities in charge, ASIA will cooperate in the investigation in every possible way, which could lead to legal proceedings against employees and third parties.

Article 15, Dissemination and review

ASIA promotes the dissemination and knowledge of the contents of this Code to all employees and third parties. If they need further clarifications to fully understand it, ASIA will provide appropriate support upon request.



ASIA also periodically checks the outputs that are obtained with the adoption of this Code and its constant compliance with applicable laws. Furthermore, and if necessary, ASIA modifies, updates or integrates it. ASIA's Legal Representative will be entrusted with the revision of this Code as necessary (and in any case every two years at least).