



International Mediation Institute

ANTI-BRIBERY AND CORRUPTION

POLICIES, PROCEDURES AND PRACTICES

IMI is committed to carrying out its Mission for the benefit of stakeholders, such as funders and Certified Mediators, as well as stakeholders of the mediation field, such as adjudicators, governments, service providers and educators, with the highest ethical standards consistent with the IMI Vision.

It is mandatory to follow any national anti-bribery and corruption laws which apply in the countries in which IMI operates. Ignoring suspicions of bribery and corruption could lead to liability for IMI and for individuals. Accordingly, this policy sets stringent mandatory procedures which IMI considers are critical to ensure compliance with all applicable laws and regulations. Staff¹, officers, directors and volunteers should ensure that people they work with on IMI matters understand that bribery and corruption is unacceptable.

1. Principles

IMI expects that the following mandatory instructions are followed in cases of specific types of activities in which IMI may become involved:

- **Prohibition Against Bribes and other Improper Payments.** No member of staff, officer, director or IMI volunteer may offer, pay, make, seek or accept a personal payment, gift or favour in return for favourable treatment or to gain any operational advantage on behalf of IMI.
- **Appointing Government Intermediaries.** It is unacceptable to engage with or pay an intermediary to work on behalf of IMI with a government organisation if it is known, believed or suspected that the intermediary will make a corrupt payment to a government official in connection with IMI. It is unacceptable to claim ignorance in these situations if there are any alerting red flags or due diligence done prior to engaging the intermediary was inadequate.
- **Awarding Contracts to Contractors or Suppliers.** The processes used to engage suppliers and contractors who provide goods and services to IMI must be transparent, ethical and comply with IMI policies. The behaviour of suppliers and contractors can reflect on IMI and therefore only reputable suppliers and contractors must be used.
- **Offering or Receiving Gifts and Hospitality.** It is important that Gifts & Hospitality never influence imminent decision-making processes, cause others to perceive an influence, or place either the individual or IMI under any obligation. Any Gift or Hospitality offered or received must be reasonable, proportionate, and registered in the IMI Code of Conduct Register if above certain thresholds indicated in the IMI Gifts & Hospitality policy.
- **Dealing with a Conflict of Interest.** Employees, officers, directors and volunteers must avoid potential, apparent or real conflict of interest and report any conflict in the IMI Code of Conduct Register. Mitigation measures must also be recorded in the Register as indicated in the IMI Conflict of Interest policy.
- **Funding Social Investment Activities and Sponsorships.** Social investment activities (e.g., joint social investment projects) or sponsorships requested by external stakeholders or initiated by IMI must be legitimate and not made to influence an operational outcome. Due diligence must be performed on any recipient of such

¹ In the context of this Policy, the term “staff” shall also mean paid consultants.



activities and reasonable efforts made to discern whether any government official is affiliated with the recipient organisation.

- **Political Payments and Industry Associations.** No payments may be made to political parties, political organisations or their representatives either directly or via third parties such as industry associations. Confirmations must be sought from any industry association to which IMI provides funding that no political contributions will be made with IMI funds. Candidates running for public office shall be treated as government officials (see IMI Gifts & Hospitality policy).
- **Recruitment of Employees, Contract Staff and Secondees.** The recruitment of family members of government officials – even outside the country in which the government official or family member is located – can create the impression of impropriety, even when there is none and even when the recruit is properly qualified for the position for which they have been hired. The IMI Executive Director must be consulted prior to any recruitment activities for these types of individuals.
- **Proper accounting of books & records.** All payments made for or on behalf of IMI will be properly accounted for and reasonable assurances provided that transactions are executed in accordance with IMI's general or specific authorization. (see IMI Segregation of Duties policy).

2. Disclosure

All IMI staff, officers, directors and volunteers are expected to report to the Executive Director or Board Chair as appropriate any concerns they may have about activities, either within IMI or in dealings with third parties, which could potentially be perceived as violating the foregoing principles. Specific disclosure requirements exist in the case of Conflicts of Interest, Gifts and Hospitality, and Books & Records (see separate policies).

3. Non-compliance

If an individual is discovered to have accepted or offered a bribe or other improper payment on behalf of IMI where disclosure and prior approval have not been sought or granted, the Executive Director or the Board of Directors will require the individual to:

- Account for any gain or benefit made directly or indirectly, arising from an involvement with, or an interest in, or dealing in any manner with a third party that provided/received the bribe or improper payment, and
- Withdraw from the action or take appropriate action as determined by the Executive Director or the Board.

Further, in the case of staff members, the individual may be subject to disciplinary action up to and including dismissal should the situation warrant.

4. Review Process

An individual may request in writing, within 30 days, a review of a decision on bribery and improper payments. In cases where there is a concern with respect to decisions or actions of the Executive Director, this concern should be submitted in writing to the Chair of the Board of Directors. The Chair of the Board will respond in writing to the individual outlining follow-up action.