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.

Australia	EFIC's enhanced due diligence procedures are as follows: » Where an exporter and, where applicable, applicant appears on any of the IFIs debarment list, or where it admits to past or present involvement in bribery or corrupt activity, the EFIC underwriter is to report the details to the Heads of the Origination and Credit departments. » Prior to reporting these details, the underwriter shall investigate whether appropriate corrective or preventative measures have been undertaken by the offending party to address any earlier offence it has been involved in. These measures may include – adopting an appropriate anti-bribery management control systems and replacing individuals that were involved in bribery. The outcome of this investigation is to be included by the underwriter in his/her report mentioned above. » With regards to agents' commissions, it is a standard part of EFIC's pre-approval process to obtain details of commissions paid or payable to agents under an export contract. This is normally secured when an exporter completes the "statement of origin" section of an EFIC application form. As a general guide, EFIC considers commissions of up to 5% of the value of the export contract as acceptable. Where this level is between 5-10% of the contract value, the underwriter is to refer to matter to the Heads of the Origination and Credit departments who are tasked to determine the "commercial reasonableness" of these fees. Further details may be required form the exporter regarding these fees (e.g. name of the agent and specific purpose of the payment) to assist in evaluating the reasonableness of the payments. Where these exceed 10% of the contract value, the underwriter must obtain the agents' name, purpose of payment and details on work to be undertaken by the agent prior to also referring the matter to the abovementioned heads of department.
Austria	Under our enhanced due diligence procedures the employees have to collect and evaluate additional information. This includes, inter alia: » Asking for information about measures taken by the exporter/applicant to prevent bribery (e.g. implementation of management control systems; implementation of corrective internal measures; submission of the results of an external audit) » Asking for information about a charge, conviction or final conviction (e.g. background information about the charge or conviction, submission of the verdict) » Asking for further information why exporter/applicant has been debarred by an IFI » Asking for detailed information about commissions in case they are not customary within the industry or business or if there is reason to suspect (e.g. identity of the beneficiary, purpose of the commission, exact amount) » Collecting information from third parties The outcome of the enhanced due diligence process has to be put down in writing and forms part of the decision making process.
Belgium	See disclosure procedure under Question 8. Belgium would like to make clear that it has very little experience with the assessment of management control systems. We are currently in contact with TI Belgium to examine if and how our underwriters could properly and efficiently assess the management control system our exporters have in place.
Canada	At any time EDC has reason to believe that a transaction may involve bribery (a "red flag"), underwriters are to advise management and Legal Services. Examples of "red flags" are as follows: media reports, indications or references to bribery in discussions or supporting documentation, whistle-blowing, complaints, refusal to provide an anti-corruption declaration, debarment by an IFI, previous convictions of bribery, unreasonably high agent's fees, etc. A "red flag" triggers an enhanced due diligence process. Enhanced due diligence includes a reputational risk assessment in respect of the relevant company. This assessment involves a search of a media database to uncover any reported or alleged involvement by the relevant company in instances of corruption as well as an assessment of the company's CSR reputation. In addition, EDC's enhanced due diligence process involves such actions as communicating with the relevant company, obtaining information about systems implemented to deter bribery (i.e. Code of Conduct), the implementation of such systems (i.e. training) and corrective measures taken to deal with reported or alleged instances of bribery. In addition, EDC has developed a list of most corrupt countries, using data from Transparency International and Control Risks Group and any potential transaction in those countries automatically triggers enhanced due diligence.
Czech Republic (EGAP)	If there is enhanced due diligence, it contains verification whether the exporter/applicant has in place control system. If there is enhanced due diligence, it contains verification that the debarred company has taken corrective and preventive measures. As we have no experience with enhanced due diligence the a.m. answers are not backed by any body of experience. Agents commissions are analysed.
Czech Republic (CEB)	1. verification of the exporter's/applicant'smanagement control systems that combat bribery 2. verification whether the exporter/applicant, if previously debarred, has adopted corrective measures 3. clarification of agents' commissions

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Denmark	In addition to the Enhanced Due Diligence procedures discribed in the Question, we would contact expertise (legal, accounting, or other) for their opinion if appropriate. In our declarations we ask about agents, i.e. whether agents are used, the size of the commission/fee, and the agent's assignment/task. If the size of the commission/fee exceeds certain limits, further investigations are to be undertaken. The limits are 5 percent of the contract value or EUR 4.5 million. So far we do not have specific experience in this respect. Furthermore, it is declared that that all payments of commission/fees to agents concerning relevant supplies or services are in reasonable proportion to the value of the supply or service.
Finland	We have instructed our employees that enhanced due diligence means investigating the case details with due care. In case we would need to start to conduct the enhanced due diligence process, it would comprise, inter alia, of the following elements: ● Asking for more information about the exporters or applicants management control systems that combat bribery and what kind of internal corrective measures have been taken in order to combat bribery. The information should be in writing. ● Asking for more information about agents and their work (what it really comprises of), about the paid commissions (purpose, where it has been paid) and afterwards take the required actions if the commissions give reason to suspect bribery. ● We investigate the publicly available debarment lists. ● If the exporter/applicant has been debarred or convicted of bribery in the past we would ask for measures that have been taken with regard to replacements in the organisation or other corrective measures like special audit of accounts. ● The gathered information is written into a form of a report, which is used as a tool in the decision making process.
France	Au stade du dépôt d'une demande de garantie Une procédure de vigilance renforcée est mise en oeuvre en cas : - de présence de l'exportateur/ investisseur/ banque/ demandeur sur les listes d'exclusion des IFI - d'une condamnation passée ou d'une procédure en cours pour fait de corruption d'agents publics étrangers déclarée par l'exportateur/l'investisseur/ la banque/ le demandeur les concernant ou concernant une personne agissant pour leur compte dans le cadre de l'opération à garantir - de détection d'éléments pouvant constituer un indice de corruption. En cas d'élément pouvant constituer un indice de corruption, la procédure de vigilance renforcée comporte une vérification approfondie, qui conduit à demander des renseignements auprès des exportateurs/ investisseurs/ banques concernés (notamment : identité des personnes agissant pour leur compte dans le cadre de l'opération, objet / montant des sommes versée à ces personnes, mise en place de procédures de contrôle du management). Cette procédure inclut également une demande d'information auprès des missions économiques. Si une condamnation pour faits de corruption a été prononcée au cours des cinq années à l'encontre de l'exportateur/ investisseur/ banque/demandeur ou personnes agissant pour son compte dans le cadre de l'opération à garantir, la preuve devra être apportée que des mesures préventives et correctrices appropriées ont été prises. Après la délivrance de la police: Obligation de vigilance en cas d'apparition d'un assuré sur la liste des IFI ou de survenance de toute information pouvant constituer un indice de corruption. Au stade de l'indemnisation: Vigilance pour vérifier que la perte dont il est demandé l'indemnisation ne comporte pas des postes susceptibles de correspondre à des commissions prohibées au titre de la Convention OCDE du 17 décembre 1997. Coface demandera alors à l'assuré, directement ou par l'intermédiaire d'experts commis à cet effet, tous éléments d'information sur les postes en question.
Germany	Within the enhanced due diligence procedures EH evaluates inter alia whether the exporter/applicant has implemented a management control system to combat bribery. In case the exporter/applicant has been debarred by an IFI we ask for further information to find out why the exporter has been debarred. In all cases the exporter/applicant has been convicted of bribery we ask the exporter/applicant whether the exporter/applicant has implemented a management control system as an internal corrective and preventative measure. In a further step EH tries to evaluate whether the implemented management control system is an appropriate measure to combat bribery. Beyond this, in all cases of enhanced due diligence we ask the exporter/applicant for further details about the agents' commission (e.g. identity of the beneficiary, purpose of commission, exact amount, name and address of the agent) and assess whether the level of commission is consistent with standard business practice.

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Greece	• All applicants/exporters requesting ECIO's support must duly declare, subject to the penalties provided for by the Greek legislation for false declarations, that neither they, nor anyone acting on their behalf has been engaged or will engage in actions of bribery. Moreover, all applicants / exporters are made to disclose if they, or any other persons involved in the transaction have been convicted by any national court (or if any charges have been brought against them) in the last five (5) years, or if they are subject to administrative penalties for breach of the legislation against bribery of foreign public officials of any country. • We seek to verify whether our applicants / exporters have developed and implement appropriate management control systems combating bribery, requesting that we will be provided with the requisite documentation where possible. • We seek to verify whether the applicants/exporters are included in the debarment lists of specified IFIs. • We seek to verify whether a debarred exporter/applicant has taken internal appropriate corrective and preventive measures after being debarred. • We request exhaustive details, where applicable, for the treatment of agents' commissions (as well as for the agents themselves) involved in the transactions. • Where appropriate and where credible evidence exists as to an incident of bribery, we contact the Ministry of Justice.
Hungary (MEHIB)	» verification of the appropriate management control systems or any corrective measures, when appropriate. » verification of the debarment lists of specified IFIs » data collection on agents' commissions » in the practice of MEHIB in-house ad hoc Committee.
Hungary (Eximbank)	» verification of the appropriate management control systems or any corrective measures, when appropriate. » verification of the debarment lists of specified IFIs » data collection on agents' commissions » in the practice of permanent Censorship Committee (Eximbank).
Italy	In December 2006 SACE approved a due diligence procedure in order to comply with Action Statement on Bribery. The procedure sets the following steps: If applicant / exporter declares to have been barred from an IF list or to have been in charge in a national or international court, SACE's staff asks: - if the applicant / exporter has set a management control system through the adoption of a Code of Ethics or of a Organisation Model for the prevention of crimes according to Legislative Decree 231/01. The applicant is required to send the requested documents to SACE's staff (self declaration is not enough). - if the applicant / exporter has set appropriate measures to remove directors, employees or agents involved in the crime, form their functions. The applicant / exporter is required to provide evidence of the changes occurred after the crime. - any further useful detail / explanation about the transaction such as purpose of agents' commission, public officers involved etc. In every case of due diligence enhancing, Legal Department is informed and the decision about the transaction remains pending until the due diligence is over. All information collected forms part of the file concerning the transaction and is communicated to the Top Management in the decision making process.
Japan (JBIC)	Enhanced Due Diligence Procedures would, depending on the case, consist of the following: - Verification whether the relevant parties have appropriate management control systems in place. - Verification if the relevant parties have taken corrective/preventive measures in relation to past debarment and/or conviction. - Investigation on commissions, especially the purpose of such payment. - Other verification and/or investigation as appropriate in each case.
Japan (NEXI)	In case we conduct the enhanced due diligence, it contains following measure: ● We ask for more information about the exporters or applicants management control systems that combat bribery ● If the exporter/applicant has been debarred and convicted of bribery in the past, we verify what kind of internal corrective measures have been taken in order to combat bribery. ● We investigate the publicly available debarment lists and gather the information from the Japanese government, such as Ministry of Economy, Trade and Industry, Ministry of Justice and Ministry of Foreign affairs. ● We undertake a review of agents' commissions.
Korea (Eximbank)	In case we undertake enhanced due diligence, it includes, inter alia, the following: □ If we become aware of the following information regarding the exporters and, where appropriate, applicants, or have reason to believe that bribery may be involved in the transaction, we ask for detailed information about their management control systems that combat bribery, commissions (e.g. identity of agents, purpose, or amounts), etc. - They are on the debarment lists of IFIs. - They are currently under charge in a national court. - They 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 within a five-year period. □ In case of a conviction in a national court or equivalent national administrative measures for violation of laws against bribery of foreign public officials of any country within a five-year period, we verify whether appropriate internal corrective measures (e.g. replacing individuals that have been involved in bribery, adopting an appropriate anti-bribery management control systems) have been taken.

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Korea (KEIC)	If necessary, KEIC performs Enhanced Due Diligence as follows. Every applicant, exporter and/or other parties involved in the contract should provide all the further information requested by KEIC with proper warranties for not objecting to any measure which KEIC may take if bribery is proven to be involved. The above information may include - whether the exporter, applicant and/or other parties have appropriate management control systems to combat bribery - whether the exporter, applicant and/or other parties have been debarred by an IFI or convicted of bribery, and have taken appropriate internal corrective and preventative measures after having been debarred or convicted - details of commissions involved in the contract
Luxembourg	● Yes ● The applicant has to declare whether he is listed on the debarment list of an IFI. ODL verifies the information by consulting a list of firms and individuals currently debarred by the World Bank Group: www.worldbank.org/debarr The verification that the applicant has taken appropriate internal corrective and preventative measures after having been debarred or convicted may be undertaken by an external and independent audit. ODL will require to be delivered a copy of the latter reports. ● If agent's commissions are covered, we will ask for the purpose, level and name of beneficiary of agents' commissions.
Mexico	
Netherlands	Content of the due diligence process is determined on a case-by-case basis. Detailed information on agent commission is always asked for in advance in the application form. Furhter more, in case the exporter (or the agent) appears on a publicly available debarmentlist or exporters, 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, has been convicted in a national court or been subject to equivalent national administrative measures for the violation of laws against bribery of foreign public officials of any country, or believed is that bribery may be involved in the transaction, we will in any case: - verify that the exporter has in place appropriate management control systemes that combat bribery. - seek to verify whether the exporter has taken appropriate internal corrective and preventive measures and if they are being maintained and well documented. Additional actions within the context of enhanced due diligence may be taken, in consultation with or at the request of the Ministry of Finance.
New Zealand	NZECO's enhanced due diligence procedures include: -notification to the Head of NZECO - a full risk assessment of the company including an assessment of the companies Corporate Social Responsibility policies and Codes of Conduct - detailed search of media databases - communication with the relevant company or companies to obtain information about the company's internal controls and systems to deter bribery, proof of the application of those systems including training for employees and agents, corrective measures taken to deal with alleged breaches of those systems including investigations, reporting, censures, dismissals and any involvement of law enforcement officials. - NZECO requires disclosure of agents commissions as part of its formal application process. As part of this the NZECO considers these commissions on a case by case basis, taking into account sector/industry norms and the nature/purpose of the agent's work. - finally a report is provided to the NZECO Board on the investigation into credible evidence and the subsequent NZECO due diligence taken, with recommendations for further action.
Norway	According to internal rules of procedure the underwriters shall investigate the applications with due care in order to decide whether there is reason for further investigation. GIEK has an internal list of elements to be considered especially by the underwriter e.g. if the actual size of the agent provision is substantial and if the place of payment of the agent provision differs from the place where the work is performed. If information given in the application gives reason for further investigation, the assistant manager of the underwriting department shall be informed. The assistant manager is responsible for the initiation of necessary and relevant investigation procedure. If the applicant/exporter has been involved in bribery GIEK will require documentation showing that the applicant has implemented proper measures to deter/prevent further violation of criminal code on bribery. GIEK will require documentation showing that the applicant has implemented proper measures to deter/prevent further violation of the criminal code on bribery. This will include both verification that appropriate management control systems that combat bribary are in place and that appropriate internal corrective and preventative measures have been taken. If information received is unsatisfactory further investigation will be initiated. External expertise may be used to assist in the investigation.

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Poland	Detailed instructions have been introduced for underwriters to investigate the applications with due care, in particular in the following aspects: - investigating the publicly available debarment lists and demanding sufficient explanation; - veryfying in case of exporter`s appearance on any of such lists whether any sanctions, measures and/or actions have been taken to avoid such cases in the future, including implementation of any control systems that would combat bribery; - requiring more information about agents and their involvement in the contract, purpose of the commission paid and its level.
Portugal	COSEC undertakes a due diligence process as part of the underwriting process in every transaction. Every applicant must sign an application form duly filled in. In case of a buyer's credit policy also the exporter is obliged to fill in an additional to the application form signed by the Bank, where details of the transaction are listed, including agent's commissions and the anti-bribery statement. The enhanced due diligence is triggered in the cases described under Q4. This includes verifying the IFI's debarment lists to confirm whether or not the exporter, bank or agent is included; to verify if appropriate control systems are in place (meaning also to verify that appropriate internal measures (preventive or corrective) have been taken), etc.. Other aspect to which attention of underwriters is thrown is to the procurement rules in the relevant country, which may include local legal opinion or counselling and to the consistency of the level of the agent's commissions with the usual standard business practice. If any suspicion of bribery arises, and with the limitation of an ECA not being an investigative authority, COSEC will try to collect publicly information (e.g internet, newspapers, other publications) and, if deemed necessary, will maintain contacts with Portuguese Embassies or other representatives in the relevant country, as well as other parties to the export contract. All elements collected as a result of an enhanced due diligence will be condensed in an report to be submitted to the Management Board of COSEC and subsequently to the Council for the Financial Guarantees, Exports and Investment that together with the Guardian Authorities will take the final decision for cover, either denying it or asking for the implementation of mitigates.
Slovak Republic	In case we will have to make Enhanced Due Diligence Procedures they will comprise, inter alia, following steps: Exporters/ applicants will declare in written what kind of corrective measures in their anti-bribery management control system have been taken. Exporters/ applicants will declare upon demand of EXIMBANKA SR the identity of persons acting on their behalf in connection with the transaction, as well as the amount and purpose of commissions and fees paid and take the required measures in case of credible evidence that bribery was involved in connection to such commissions. In case that exporter/applicant has been debarred or convicted of bribery such measures would be asked as replacing individuals that have been involved in bribery, adopting an appropriate anti-bribery management control system and disclosing audit reports.
Spain	If the applicant or anyone acting on their behalf is under charge or has been convicted within a five year period preceding the application, the applicant must submit a written test explaining the reason for the charge or the verdict. The applicant must also explain what corrective measures they have carried out, such as if the persons under charge or convicted have been displaced or he left the company and if the applicant has implemented procedures with the object to prevent future corruption.. If the applicant appear on the debarment lists of the World Bank Group or the EBRD the applicant must also submit the written test with detailed information about the background to their appearance on the list. The applicant must always be able to provide details of the agents' commissions (such as companies involved, amounts, purpose, etc)
Sweden	If during the due diligence process it turns out that the applicant or anyone acting on their behalf is under charge or has been convicted within a five year period preceding the application, the applicant must submit a written declaration explaining the reason for the charge or the verdict. The applicant must also explain what corrective measures they have carried out, such as if the persons under charge or convicted have been displaced or has left his employment and if the applicant has implemented procedures with the object to prevent future corruption including verification of its management control systems in place for this purpose. Should the applicant appear on the debarment lists of the World Bank Group or the EBRD the applicant must provide EKN with detailed information about the background to their appearance on the list. The applicant must always be able to explain the purpose with the agents' commissions and what costs and fees they are meant to cover.

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Switzerland	In the enhanced due diligence procedures, - SERV verifies that the exporter / applicant has appropriate management control systems in place. - SERV verifies that the exporter / applicant has taken appropriate corrective and preventive measures. - As soon as the enhanced due diligence process is invoked, the amount of the agent' commissions and the name of the agent will definitely be asked. Further questions depend on the individual transaction. All applications for new covers and claims require the exporters / applicants to submit a statement (refer to the text provided under Question 1b)) if the transaction amount is over MCHF 10 and the CPI (corruption perception index) of the country of import is at or below "4", the enhanced due diligence process is invoked. Depending on the transaction, questions from the catalogue (Attachment C) are chosen. We will in all cases ask the following questions: 1) the form of tender (e.g. International open tender); 2) the amount (in percentage of the transaction value) of agent's commission(s); 3) the name of the agent, and whether 4) the exporter / applicant has implemented internal management control systems. Should the enhanced due diligence result in "credible evidence" of bribery, a request to the board of directors to inform the law enforcement authorities and, if necessary, a proposal for actions to be taken will be made. The decision of the board of directors is then implemented. (c.f. also answer to question 20) Attachment B describes the process schematically. Attachment C is a catalogue of questions SERV might use during the enhanced due diligence process.
Turkey	Should the companies declare their noncompliance against the Articles 2 or 3 of the Undertaking at the time of their application (i.e. if there has been a conviction in any court or national administrative measures have been taken within the last five years or the company is listed on the current publicly available debarment lists), such application can only be taken into consideration after an enhanced due diligence including the following steps: a. The bribing employee was dismissed, b. The Company has a well established "management control system", c. The Company agrees to have an independent audit carried out and to deliver these reports as the Bank (refers to Turk Eximbank) may require, d. The Company agrees to take other measures as the Bank may require. As a routine process, the agents' commissions are not questioned as they are automatically off-cover under the Bank's programs. As for export credits, the Customs Declarations detailing and itemizing the exports are requested where there is no room for any commissions. As for project loans (of buyers' credit type), the project appraisal phase tries to uncover the details of goods to be exported and services to be provided by Turkish real or legal persons. This endeavour includes attaining the details of all expenditures like proforma invoices of goods and envisaged service payments. Apart form that, follow-up by independent consultants or bank staff is carried out to ascertain such expenditures as the payrolls of employees, invoices for feasibility studies, and the physical utilization of goods exported within the project. Therefore, in general, we are quite strict in terms of provision of our support that is directly based on customs declarations. As for a few programs where services are supported, our project team carries out the above-mentioned due diligence. Notwithstanding this, if Turk Eximbank deems it necessary, the company agrees to provide any information and documentation about the identities and titles of any natural or legal persons acting on its behalf, and the payments in any form effected or decided to be effected to such person(s) for all of the transactions, including the export of goods and services, carried out under the relevant application.
United Kingdom	ECGD undertakes due diligence on every case as part of the underwriting process on each and every transaction. Every exporter must sign a properly completed application form and provide all warranties and any other information that ECGD requires. ECGD's procedures include checking whether the exporter/applicant has in place appropriate management control systems that combat bribery as well as checking whether the exporter/applicant and, where appropriate, other parties involved in the contract (e.g. agents) are on the publicly available IFI debarment lists referred to in the answer to Question 4. ECGD also looks at other publicly available information as well as any other sources available to ECGD, such as the UK and other embassies in the relevant country. Where the contract is with a public buyer, ECGD will attempt to ascertain whether local public procurement legislation has been observed. Such due diligence procedures are, of course, always limited by the fact that that ECGD itself is not an investigatory authority. Where agents are involved in a transaction, ECGD always insists on being given the names and addresses of the agents as well as the country or countries where any commission, fees or other remuneration is/are payable to any agent, the amounts and purpose of any commissions, the services which the agent is providing and whether the level of commissions is consistent with the nature and level of those services. In addition, ECGD always obtains local legal advice on whether the employment and payment of agents is legal under the laws of the buyer's country. Before a commitment is given, ECGD must be satisfied that all due diligence considerations have been satisfactorily addressed. Where due diligence risks are identified, ECGD will decide if they are acceptable and, if they are not, whether they can be mitigated in any way. ECGD's procedures always seek to verify whether any exporter/applicant that has either been debarred by an IFI or convicted of bribery has taken appropriate internal corrective and preventative measures after having been debarred or convicted.

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United States (EXIM)	"Due diligence" is the diligence that is due based on the particular circumstances present in a transaction. Due diligence is a flexible standard that in Ex-Im Bank's case typically includes, but is not limited to, consulting the following sources with respect to parties involved in a proposed transaction: • Overseas embassies • Banks • Other ECAs or international financial institutions • Other appropriate U.S. agencies • A U.S. list of companies and individuals whose assets have been blocked due to non-compliance with U.S. sanctions or regulations (the Department of Treasury's Office of Foreign Assets Control, or OFAC) • Local sources Due diligence also includes an examination of the role of transaction participants, including agents. In addition, due diligence includes an examination of price reasonableness. "Enhanced due diligence" refers to a level of investigation beyond that of ordinary "due diligence," including but not limited to consulting the following sources, in addition to those listed above: • A detailed company profile provided by the investigative services of overseas embassies • Private investigators • Local legal counsel Ex-Im Bank will undertake enhanced due diligence as appropriate including in circumstances where: (i) an exporter, applicant or other transaction participant appears on the publicly available debarment lists of one of the international financial institutions; or (ii) Ex-Im Bank becomes aware that an exporter, applicant or other transaction participant is currently under charge in a national court, or, within a five-year period preceding the application, has 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; or (iii) Ex-Im Bank has reason to believe that bribery may be involved in or that irregular commissions or fees will be paid in connection with the proposed transaction Enhanced due diligence is undertaken by appropriate staff from the originating division, the Credit Underwriting division, and OGC and includes, depending on the facts, the examination of the anti-bribery controls of the exporter/applicant and whether the exporter/applicant has taken appropriate internal corrective and preventative measures after having been debarred or convicted.
United States (USDA)	Any further due diligence would attempt to validate the underlying charge(s). If validated, USDA would take the next step of verifying that appropriate management control systems are in place and that appropriate internal corrective and preventative measures are taken and agents' commissions are treated appropriately. Our enhanced due diligence process may result in a proposal for suspension or debarment. If so, the reasons for the suspension/debarment would be provided and the participant may choose to dispute and appeal these findings in an appropriate forum.