

MYANMAR CENTRE FOR RESPONSIBLE BUSINESS (MCRB) ANTI-CORRUPTION CODE OF CONDUCT

Personal integrity is crucial in the fight against corruption. Staff and their counterparts carry a responsibility in their daily work. They have an ethical responsibility and the responsibility to set a good example. MCRB is determined to maintain the highest standards, and the notion of **‘zero tolerance’** is the governing principle with regard to corruption within the MCRB.

This is the principle that MCRB will also continue to apply to partner organizations and governments in their handling of funds, and it goes without saying that it must also apply at home. Thus, it is essential that the employees follow and demonstrate the highest standards of personal integrity.

The MCRB Anti-Corruption Code of Conduct should provide guidance not only in MCRB, but also to counterparts. The purpose of the MCRB Anti-Corruption Code of Conduct is to ensure and support behaviour and working ethics characterized by high standards of personal and organizational integrity, both internally and with partners.

1. Conflict of interest

We will avoid any conflict - real or potential – between our personal interests and the interests of MCRB. And we will promptly report any occurrence of such conflict.

Conflicts of interest arise from situations in which you as an MCRB employee have a private interest that could potentially influence, or appear to influence, the impartial and objective performance of your duties. Private interests include any advantage to you or your family, close relatives, friends and persons or organizations with whom you have or have had business or political relations.

Examples:

- Outside employment or activities: You must disqualify yourself from outside employment or activities, including dealings with former or planned future employers, and from employment that conflicts with your duties and responsibilities to MCRB.
- Personal or financial connections: Should you have any connections, be they personal, family-related, financial or of any other nature, to MCRB partners or employees that could have an effect on the objectivity of your decision-making when working for MCRB, you should inform your superior and a joint decision on the further course of action should be made.

2. Misuse of official position and public resources

We will not seek to influence for private purposes any person or body by using our official position or offering them personal advantages. Likewise, we will not use MCRB property, facilities, services and financial resources for private purposes except when permission is lawfully given.

This principle implies that you shall not use your official authority for improper advancement of your own or your family's personal or financial interest. Thus, you should not engage in any transaction, acquire any position or function, or have any financial, commercial or other comparable interest that is incompatible with your office, functions and duties or the discharge thereof.

Example:

- You should not use your official authority to receive free or reduced-price private travel.

3. Respect for laws

We respect the law of the country in which we work

The MCRB's sponsoring organizations are the UK-based Institute for Human Rights and Business, and the Danish Institute for Human Rights. Local Myanmar laws can differ significantly from Danish or UK laws and they could conflict with your personal beliefs and official Danish or UK policy.

Example:

For locally engaged staff, the local law applies in full and you are expected to honour all obligations that are not directly unlawful under Danish or UK law. If you become aware of a conflict between the local laws and the Danish or UK laws, you should report any such conflict to your superior.

4. Proper personal conduct

We will ensure that our private conduct does not compromise our role as MCRB employees.

MCRB respects the privacy of its staff and will not seek to regulate private conduct unless such conduct impairs the ability of the employee to perform work satisfactorily.

Even when your private conduct is perfectly legal in your country of residence and does not in any way impair your performance at work, incompatibility between the same private conduct and your role as a MCRB employee can occur when your private conduct is in conflict with basic ethical and human right norms. This applies to all MCRB staff, including those who are locally engaged.

Example:

MCRB will not accept any private conduct that involves engagement in corrupt practices, e.g. facilitation payments or the use of child labour, even if these practices are not illegal in your country of work.

5. Active and passive bribery

We will not give, solicit or receive, directly or indirectly, any gift or other favour that may influence the exercise of our function, performance of duty or judgement. This does not include conventional hospitality or minor gifts.

As a general rule, MCRB staff may not accept gifts or other advantages. However, in observing and respecting local hospitality conventions, you can accept small or token occasional gifts. The management will define the value limits for these types of gifts. Gifts above this value should neither be offered nor accepted.

6. Dissemination of the code

We will make our code of conduct known to our professional partners.

As an MCRB employee, you should work to disseminate the principles of our Code of Conduct to colleagues, partners or other persons or institutions with a professional interest in MCRB.

Although the Code is for MCRB staff, it seeks in several ways to regulate behaviour between MCRB staff and our professional partners. It therefore has implications regarding the reciprocal conduct that we expect from our professional partners.

Consequently, in disseminating the Code, you should seek the acknowledgement of the Code by our professional partners.

7. Observance of the code

We will respect the principles of the code and we will report any evidence or suspicion of breaches of the code. The responsible superiors will ensure the legal rights and due protection of the whistleblower and the accused before, during and after any investigation.

You are obliged to familiarise yourself with the Code and respect its principles. Breaches of the Code may ultimately have implications for your employment with MCRB.

You are obliged to report any evidence or suspicion of breaches of the Code. Your first instance for reporting is your immediate superior, or alternatively his or her superior. When in doubt about how to interpret this Code or other aspects of professional or private conduct, you may also approach your superior to seek advice and discuss what is considered proper conduct.