

ANTI-BRIBERY, CORRUPTION & FRAUD POLICY

- Introduction..... 2
- Principles 2
- Legal framework 3
- Key definitions 4
- Scope 5
- Responsibilities 5
- Policy content..... 7
 - a) Preventive actions 7
 - b) Responsive actions..... 7
 - c) Support actions..... 8

Introduction

Komons Collective SLL (hereinafter KOMONS or the Organization) is an organization conceived to harness the potential of data, technology and collective action to confront the key challenges facing civil society. We have a unique expertise in digital analysis and media research, communications strategies and movement building that allow us to enhance collective intelligence and accelerate social change processes.

KOMONS believes that it is everyone's responsibility to fight corruption and fraud as they are a scourge that hinders economic development, weakens democracy and is detrimental to social justice and the rule of law, causing serious harm to the economy and society, and in many cases facilitates the operations of organized crime.

That is why KOMONS works with firm commitments to ethical principles and assumes responsibility for actively participating in the challenge of combating corruption and fraud in all its areas of activity.

To ensure that KOMONS continue to have high standards of accountability, transparency and legal compliance, it is imperative the development of this **Anti-Bribery, Corruption & Fraud Policy (hereinafter, the Policy)**, for addressing the risks of fraud and corruption.

Principles

KOMONS is committed to preventing fraud and corruption and developing an anti-fraud and anti-corruption culture. To achieve this This Policy is based on the following principles:

- KOMONS does not tolerate, permit or engage in any corruption, extortion or bribery in the performance of its professional activity, either in the public or private sectors.
- KOMONS promotes a preventive culture based on the principle of "zero tolerance" towards corruption in its activities and projects, as well as towards the commission of other illicit acts and situations of fraud and the application of the principles of ethics and responsible behavior of all KOMONS staff, independently of their hierarchical level and the country in which they work.
- The commitment to constantly monitor and punish fraudulent and corruption in all its manifestations, to maintain effective communication mechanisms and to protect all employees and to develop a business culture of ethics and honesty.
- This principle of "zero tolerance" towards corruption is absolute in nature and takes precedence over the possible obtaining of any kind of economic benefit for the

Organization or its professionals, when it is based on an illicit business or transaction or contrary to the principles of this Policy.

- Relations between KOMONS staff with any public administration, authorities, public officials and other persons involved in the exercise of the civil service, as well as political parties and similar entities shall, in any event, be governed by the principles of cooperation, transparency and honesty.
- KOMONS promotes an environment of transparency, maintaining the internal channels to care for the communication of possible irregularities, which allow professionals of the Organization, suppliers and collaborators to communicate behaviors that may involve the commission of any act contrary to legality or to the principles of this Policy.
- Ethical and responsible behavior is one of the pillars of KOMONS and its collaborators must comply with KOMONS policies, rules and procedures relating to the prevention of corruption, bribery and extortion.

Legal framework

This Policy refers to the following international instruments on anti-corruption:

- The Organization for Economic Co-operation and Development (OECD) Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, 17 December 1997.
- The United Nations Convention against Corruption of 31 October 2003.

At European level, there are also various legal instruments on anti-corruption, of which it is worth noting:

- The Council of Europe Criminal Law Convention on Corruption of 27 January 1999, including its additional protocol of 15 May 2003.
- The Council of Europe Civil Law Convention on Corruption of 04 November 1999.
- The EU Convention of 25 June 1997 drawn up on the basis of Article K3(2)(c) of the Treaty on European Union on the fight against corruption involving officials of the European Communities or officials of Member States of the European Union.
- EU Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector;
- Directive (EU) 2017/1371 of 05 July 2017 of the European Parliament and of the Council on the fight against fraud to the Union's financial interests by means of criminal law.

With specific relevance for the purpose of this policy is The United Nations Convention against Corruption (UNCAC) entered into force on 14 December 2005 is the first global agreement comprehensively addressing corruption and the only legally binding universal anti-corruption

instrument. Additionally, the EU Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector.

According to the mentioned regulations, it is of relevance to the present policy that both companies and individuals can be prosecuted for corruption offences. A company can be prosecuted for corruption charges provided that the offence is:

- intrinsically linked to the realization of the corporate purpose of the company;
- intrinsically linked to the preservation of the interests (economic or other) of the company; or
- committed on behalf of the company, as shown by the concrete circumstances.

Both the company and the individual(s) may cumulatively be held criminally liable for the same offences. However, the liability of the company is autonomous and separate from the liability of the identified individual(s).

Key definitions

The key concepts used in this Policy are as follows¹:

Bribery involves a) the promise, offering or giving, directly or indirectly, of an undue advantage to any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting; (b) The solicitation or acceptance, directly or indirectly, of an undue advantage by any person who directs or works, in any capacity, for a private sector entity, for the person himself or herself or for another person, in order that he or she, in breach of his or her duties, act or refrain from acting.

Illicit enrichment, that is, a significant increase in the assets of a public official that he or she cannot reasonably explain in relation to his or her lawful income.

Embezzlement of property in the private sector to direct or work, in any capacity, in a private sector entity of any property, private funds or securities or any other thing of value entrusted to him or her by virtue of his or her position.

Private corruption consists of the direct or indirect offer, giving, receipt or solicitation of an advantage to or by a person who is a director or manager, proxy holder or employee of an

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undertaking or of a physical person, in order for that person to perform or omit to perform an act which falls within the scope of his or her function, or which is facilitated by his or her function.

Fraud is a deliberate act of deception intended for personal gain or to cause a loss to another party.

Property shall mean assets of every kind, whether corporeal or incorporeal, movable or immovable, tangible or intangible, and legal documents or instruments evidencing title to or interest in such assets.

Scope

Fraud can be perpetuated both internally and externally (by collaborating individuals or entities). Therefore, this Policy applies and it is mandatory to:

- a) All KOMONS' staff. Staff means any person who integrates the operational team of the Organization throughout its scope of action and the management board. Therefore "staff" also includes directly recruited personnel, volunteer staff, fellows or subcontracted personnel.
- b) Collaborating individuals and entities, including:
 - i) Partner organizations, counterparties and suppliers with which KOMONS collaborates in the development of its activities and projects.
 - ii) Other actors involved such as external partners, commercial agents, guests, visitors, and any other person or entity working on behalf of KOMONS.

Responsibilities

KOMONS considers that it is a responsibility of all its staff to combat corruption and fraud and to comply with this Policy in the development of its activities and projects. It is also a responsibility of collaborating individuals and entities.

All KOMONS staff, regardless of their position or role, are responsible for:

- Reading, comprehending and complying with this Policy.
- Reporting any incident, complaint or suspicion regarding situations of corruption and fraud directly or indirectly related to KOMONS.

- Avoiding any activity that may lead to, or suggest, a breach of this Policy.
- In case of doubt in relation to this Policy, seeking support directly from their direct hierarchical manager or through the management board.

The management board of the Organization is responsible for:

- This Policy, its implementation, maintenance, improvement and of the necessary measures to do so.
- To create a management culture that fosters an approach to fighting corruption and fraud.
- To ensure to be receptive and act immediately and diligently if he/she is aware of any incident, complaint or suspicion regarding situations of corruption or fraud.
- To support the operational team in case it shows doubts or concerns regarding this Policy.
- Support any member of the operational team who expresses genuine concern that any situation of corruption or fraud may be occurring in the development of the Organization's activities and projects, inclusive or if that concern ultimately turns out to be erroneous.
- Is committed to reviewing the Policy periodically, at least every three years, or earlier when there are significant changes in legislation or within the organisation that may affect this Policy.

This policy is mandatory and deviations to it are not allowed.

Both legal and disciplinary action will be taken if negligence or deliberate non-compliance with this Policy is demonstrated.

Any breach with respect to this Policy shall be foreseen as a serious misconduct which may include the dismissal or termination of the contract, as well as reporting the concern to the relevant authorities, and shall be notified immediately to the direct hierarchical manager or the member of the management board designated to such effect to carry out the relevant actions and follow-up.

Policy content

KOMONS has a commitment to high legal, ethical and moral standards, and will not tolerate any kind of fraud or corruption. The Organization deals very seriously with the problem of fraud and corruption and is committed to combating it in its institution. Therefore, KOMONS guarantees that the following actions will be carried out to fulfil its commitment to maintain the highest standards of integrity, objectivity and responsibility in the exercise of their duties.

a) Preventive actions

i. **Actions related to risk control and management**

- Prevention: controls designed to reduce the risk of fraud, corruption and inappropriate behavior.
- Detection: controls aimed at discovering fraud, corruption and inappropriate behavior when it occurs; For this purpose, fraud risk indicators must be developed and applied, including mechanisms to provide warning signals of possible fraud.

ii. **Awareness-raising and training actions**

- All KOMONS staff must sign and comply with this Policy.
- All KOMONS staff will have access to a copy of this Policy.
- KOMONS staff will receive training on the declaration of non-tolerance of this Policy as well as the protocol that will be developed for the prevention and management of inappropriate behavior, in general terms, on the type of action that will or could be carried out.
- When KOMONS work with other collaborating individuals or entities it will report on the content of this Policy to them.

b) Responsive actions

i. **Complaint actions**

- KOMONS staff have the obligation to report any suspicion of fraud and / or corruption following the specific protocol for the communication and reporting of any inappropriate behavior that will be developed for this purpose. The communication will be made to their direct hierarchical officer or through the designated management board member for this purpose. Where suspicion is with a responsible or member of

the management board, any other member of the management board who is not involved shall be informed.

- KOMONS is committed to investigating all suspicions of fraud and/or corruption, as established in the specific protocol for the communication and reporting of any of any inappropriate behavior. The person directly responsible will be the designated management board member for this purpose. The persons occupying this position will establish how to carry out the investigation into the suspicions of fraud and/or corruption received. The person occupying this position will determine the scope of the investigation, depending on the volume, nature and complexity of the fraud reported. The same individual will also determine who will be responsible for conducting such investigation.
- KOMONS will apply controls to take corrective action and repair damage caused by fraud, corruption or inappropriate behavior.
- KOMONS management board shall develop a the specific protocol for the communication and reporting of any inappropriate behavior, which shall be handed over to all members of its staff as well as to collaborating individuals and entities.

c) Support actions

- KOMONS does not tolerate any harm or retaliation against staff reporting any suspicious form of corruption and/or fraud and any individual doing the reporting will receive protection and support actions.

This Policy has been initially approved by the Management Board on 7th April 2021.