

**Approved by the UnMode (then RuNPUD) Board, November 2020.**

*(with additions approved by the General Meeting of UnMode, June 16, 2021, Batumi, Georgia).*

## **UnMode ANTI-CORRUPTION POLICY**

**UnMode** — community movement for access to justice is an international civil society network. Geographic coverage: countries of Central and Eastern Europe and Central Asia.

Membership is free and open to people who use/used drugs, prisoners or people with the experience of imprisonment, people who have skills or desire to openly protect human rights, share our mission and goals, follow our principles, and are ready to act within our security framework.

### **Our mission**

Provide access to justice as an effective tool to protect human rights of prisoners/ex-prisoners with experience of drug use.

### **Our values**

Life Freedom Human rights Gender equality Security Team Altruism Personal experience Trust Self-development Personal responsibility Dignity Reputation

### **Our principles:**

- The priority of life — protection and preservation of human life under any circumstances.
- Striving for freedom and supporting this aspiration in other people.
- Active intolerance to violations of the fundamental human rights and freedoms, stigma and discrimination.
- Safety of the members' lives and activities as a basic condition of the organizational development.
- Complementarity, interchangeability, and importance of everyone's contribution as the basis of teamwork.
- Desire to benefit other people and assess one's performance in terms of the positive changes in the society.
- Respect to other people's experiences in any issues related to their lives.
- Striving to build trust both inside the organization and in cooperation with partners.
- Independence and focus on self-development as a personal need of each one of us.
- Personal responsibility and self-discipline as an integral part of the human freedom.
- Respect to the personality of every individual, avoiding pity and paternalism.
- Efficiency. Striving to use time, money and human resources as effectively as possible
- Professionalism and open-mindedness.

## **1. General Provisions**

1.1. The UnMode Anti-Corruption Policy (hereinafter, the Policy) is a set of interrelated procedures, specific activities and measures aimed at preventing and combating corruption offenses in the activities of UnMode (hereinafter, the Organization).

1.2. This Policy was developed in accordance with international requirements for the development and adoption by organizations of measures to prevent and combat corruption and is a document defining the main directions of the Organization's activities to prevent, detect and suppress corruption offenses, minimize and (or) eliminate the consequences of corruption manifestations.

1.3. Anti-corruption activities in the Organization shall be carried out in accordance with the Georgian legislation on combating corruption, this Policy, as well as the following internal regulatory documents approved in the Fund:

- UnMode Charter;
- UnMode Ethics Code;
- UnMode Personnel Policy;
- UnMode Applicant Protection Policy;
- UnMode Conflict of Interest Policy.

## **2. Goals and Objectives of the Policy**

2.1 The purpose of the Policy is to form a system of measures to prevent and combat corruption, taking into account a unified approach to its development by international organizations and UnMode;

### **2.2. The objectives of the Policy are:**

- Formation of the basic principles of work to prevent corruption;
- Methodological support for the development and implementation of measures aimed at preventing and combating corruption through the adoption of internal normative documents of the Organization in the field of combating corruption;
- Determination of officials of the Organization responsible for the implementation of the Policy;
- Establishing the obligation of the Organization's employees to know and comply with the principles and requirements of this Policy, key norms of the applicable anti-corruption legislation;
- To establish the responsibility of the Organization's employees for non-compliance with the requirements of the Policy and committing corruption and other offenses;
- Formation of rejection of corruption in any forms and manifestations, formation of anti-corruption corporate consciousness among employees of the Organization;
- Minimization of risks of involvement of the Organization and its employees, regardless of the position they hold, in corrupt activities;
- Implementation of a set of legal, organizational, explanatory and other measures to prevent corrupt behavior by employees of the Organization, including:
  - Preventing and resolving conflicts of interest;
- Formation of a negative attitude of the Organization's employees to the receipt of gifts in connection with their official position or in connection with the performance of their job duties;
- Preventing the Organization's employees from behaving in a way that may be perceived by others as a promise or offer of a bribe or as an agreement to accept a bribe or as a request to give a bribe;
- To monitor the compliance of the Organization's employees with the requirements of official

conduct

### **3. Basic Concepts and Definitions**

3.1. For the purposes of this Policy, the following basic concepts and definitions shall apply:

Corruption - abuse of office, bribery, receiving a bribe, abuse of authority, commercial bribery or any other illegal use by an individual of his/her official position contrary to the legitimate interests of society and the state in order to obtain a benefit in the form of money, valuables, other property or property services, other property rights for oneself or for third parties or illegal granting of such benefits to this person by other individuals. Corruption is also the commission of the above-mentioned acts on behalf or in the interests of the Organization.

Anti-corruption is the activity of state authorities, public authorities, local self-government bodies, civil society institutions, organizations and individuals within their competence a) To prevent corruption, including the identification and subsequent elimination of the causes of corruption (prevention of corruption);

b) The detection, prevention, suppression, detection and investigation of corruption offenses (combating corruption);

c) To minimize and (or) eliminate the consequences of corruption offenses. Corruption prevention is an organization's activity aimed at introducing elements of corporate culture, organizational structure, rules and procedures regulated by internal regulatory documents that ensure the prevention of corruption offenses, identification and subsequent elimination of causes of corruption (prevention of corruption).

Organization - a legal entity, regardless of its form of ownership, legal form and industry. A counterparty is any legal entity or individual with whom the Organization enters into a contractual relationship, except for labor relations.

A bribe is a receiving by an official personally or through an intermediary money, securities, other property or in the form of illegal provision to him of services of a property nature, providing other property rights for the commission of actions (inaction) in favor of the briber or persons represented by him, if such actions (inaction) are within the official authority of the official, or if he, due to his official position, may promote such actions (inaction), as well as for general protection or connivance in office.

Commercial bribery is illegal transfer of money, securities, other property, rendering of services of property nature to a person performing managerial functions in a commercial or other organization, granting other property rights (including when on the instructions of such person the property is transferred, or property services are rendered, or property rights are granted to another individual or legal entity) for committing actions (inaction) in the interests of the giver or other persons, if the above actions (inaction) include.

A conflict of interest is a situation in which a personal interest (direct or indirect) of an employee of the Organization affects or may affect the proper, objective and impartial performance of his/her official duties (exercise of powers).

A personal interest of an employee of the Organization is the possibility of receiving income in the form of money, other property, including property rights, property services, results of work performed or any benefits (advantages) by an employee of the Organization, and (or) persons related or related to him (parents, spouses, children, brothers, sisters, brothers, sisters, parents, children of spouses and spouses of children), citizens or organizations with whom the employee of the Organization, and (or) persons closely related or related by marriage to him or her are connected by property, corporate or other close relations.

Abuse of authority - the use by an employee of the Organization of his/her powers contrary to the legitimate interests of the Organization and for the purpose of obtaining benefits and advantages for

himself/herself or other persons, or causing harm to other persons, if this act has caused substantial harm to the rights and legitimate interests of citizens or organizations or to the legally protected interests of society or the state.

#### **4. The Main Principles of Corruption Prevention**

4.1. The Fund's Policy is based on the following basic principles:

4.1.1. The principle of compliance of the Policy with the legislation of Georgia and the countries where the Organization operates;

4.1.2 The principle of personal example of the Organization's leadership in the formation of a culture of intolerance to corruption and in the creation of an internal system of prevention and counteraction to corruption;

4.1.3. The principle of involvement of employees of the Organization (awareness of employees about the provisions of anti-corruption legislation and their active participation in the work on the formation and implementation of anti-corruption standards and procedures);

4.1.4. The principle of zero tolerance: rejection of corruption in any forms and manifestations;

4.1.5. The principle of proportionality of anti-corruption procedures to the risk of corruption;

4.1.6. The principle of effectiveness of anti-corruption procedures and measures;

4.1.7. The principle of responsibility and inevitability of punishment for corruption offenses regardless of the position held, length of service and other conditions;

4.1.8. The principle of openness of the Organization's activities and informing about the anti-corruption standards and procedures adopted by the Organization;

4.1.9. The principle of continuous control and regular monitoring of the implementation of anti-corruption standards and procedures.

#### **5. Scope and applicability of the Policy**

5.1. This Policy is intended for use by the Organization's employees responsible for the implementation of anti-corruption measures in terms of compliance with the principles and requirements of this Policy and the key provisions of applicable anti-corruption laws. Persons covered by this Policy are employees of the Organization who have an employment relationship with it, regardless of the position held and the functions performed;

5.2. The principles and requirements of this Policy apply to counterparties, as well as to other persons in cases where the relevant obligations are set forth in contracts with them, in their internal documents, or directly derive from applicable law.

#### **6. Officials, governing bodies and collegial bodies responsible for the implementation of the Policy**

6.1. The provisions of the Policy shall be implemented in the Organization within its competence: • The supreme governing body of the Organization - the General Meeting of Members;

• The elected governing body of the Organization - the Management Board;

• The sole executive body of the Organization - the Executive Director;

• Line managers, responsible for individual activities of the Organization.

6.2. The Head of the Organization (governing bodies of the Organization), based on the established objectives, specific activities, staff size, organizational structure of the Organization shall create a separate structural unit for the prevention of corruption and other offenses, or appoint a person or several persons responsible for the implementation of this policy within their authority; 6.3. The

main functions of a separate structural unit for the prevention of corruption and other offenses shall be set forth in the Regulations on the structural unit;

6.4. The responsibilities of the employee responsible for implementing this Policy shall be set forth in his/her job description.

## **7. Obligations of the Organization's Employees to Implement the Policy and Anti-Corruption Legislation**

7.1. All employees of the Organization, regardless of position and length of service in the Organization, shall:

- To know and comply with the requirements applicable to the Organization and to them, as employees of the Organization, normative legal acts of Georgia on combating corruption, adopted in accordance with them Policies, internal regulatory documents of the Organization;
- To comply with the requirements to the official conduct of an employee of the Organization, enshrined in the Code of Ethics and Official Conduct of an employee of the Organization;
- Not to use for personal purposes the official position, confidential information, material and intangible assets of the Organization;
- Not to commit and/or participate in the commission of corruption offenses;
- To refrain from behavior that may be interpreted by others as a willingness to commit or participate in the commission of a corruption offense;
- To immediately inform the employer through the employee of the Organization, responsible for the prevention of corruption and other offenses of cases of inducement of an employee to commit a corruption offense in accordance with the procedure for notification of an employee of the Organization of inducement to commit a corruption offense;
- To report to the direct supervisor or an employee of the Organization, responsible for the prevention of corruption and other offenses), and (or) the head of the Organization in accordance with the procedure for prevention and settlement of conflicts of interest on the emergence / presence of personal interest that may lead or has led to a conflict of interest, one party to which is an employee of the Organization.

7.2. Employees of the Organization have the right to inform the employer or an employee of the Organization, responsible for the prevention of corruption and other offenses, on cases of corruption offenses committed by other employees on the facts of a conflict of interest, the commission of corruption offenses by employees of the Organization;

7.3. Employees of the Organization shall not be limited to the obligations and prescriptions of this Policy, and take other recommended measures in the field of combating any possible corruption manifestations in the Organization;

7.4. Control of compliance with the provisions of this Policy by the Organization's employees shall be carried out directly by line managers or project coordinators of the Organization. They must immediately report violations of this Policy identified or reported to them to the Organization's employee responsible for the prevention of corruption and other offenses.

## **8. The Organization's Action Plan to Combat Corruption**

8.1. Work on combating and preventing corruption in the Organization shall be carried out in accordance with the approved for a period of two years Plan of main activities to combat corruption (hereinafter the Plan);

8.2. The Plan of the Organization shall include measures aimed at achieving specific results in the

work on the prevention of corruption, minimization and (or) elimination of the consequences of corruption offenses.

The Plan may include:

- Measures that constitute a set of legal, organizational, explanatory and other measures for the Organization's employees to comply with the restrictions and requirements established to combat corruption, for the Organization and its employees to comply with other provisions of legal acts on combating corruption and internal regulations of the Organization adopted in accordance with them;
- Measures aimed at improving anti-corruption activities in the Organization (if necessary). The Plan is developed by the management of the Organization and the employee Or, responsible for the prevention of corruption and other offenses), considered at a meeting of the Commission of the Fund on compliance with the requirements of official conduct and settlement of conflict of interests and approved by the Board of the Organization once every two years.

If necessary, the Plan is amended accordingly.

## **9. Identifying and resolving conflicts of interest**

9.1. The main objective of the Organization's activities to prevent and resolve conflicts of interest is to limit the interests, personal interest of employees in their work functions and business decisions.

9.2. The following principles shall form the basis for the Organization's conflict of interest management activities:

- Mandatory disclosure of information about a possible or arising conflict of interest; • Individual consideration of each conflict of interest and its settlement;
- Confidentiality of the process of disclosing information about the conflict of interest and the process of its settlement;
- Balance between the interests of the Organization and the employee in resolving the conflict of interest;
- Protection of the employee from prosecution in connection with the disclosure of the conflict of interest.

9.3. Employees must take measures to prevent any possibility of a conflict of interest;

9.4. Information received within the notification of personal interest, which may lead or has led to a conflict of interest, shall be checked by the Executive Director or an employee of the Organization, responsible for the prevention of corruption and other offenses in order to assess the seriousness of risks arising for the Organization and choose the most appropriate form of settlement of the conflict of interest;

9.5. The obligations of employees to avoid the possibility of a conflict of interest, the procedure for preventing and (or) resolving conflicts of interest in the Organization are established in the Organization's Conflict of Interest Regulations;

9.6. In order to disclose information about the conflict of interest by citizens when hiring in the Organization and annually by employees during the personnel evaluation procedure of the Organization, the Declaration of Conflict of Interest shall be filled out.

## **10. Gifts and entertainment expenses**

Gifts and entertainment expenses, including business hospitality, which employees of the Organization may give to other persons and organizations on behalf of the Organization or which employees of the Organization may receive from other persons and organizations in connection with

their professional activities in the Organization, as well as restrictions and prohibitions on their giving and receiving are defined in the Regulations on allowable expenses of the Organization and are reflected in the Human Resources Policy, the Code of Ethics and the Financial Management of the Organization.

## **11. Corruption Prevention Measures in Interaction with Counterparties**

11.1. The Organization seeks to establish and maintain business relationships with those counterparties that conduct business relations in good faith and honestly, take care of their own reputation, demonstrate support for high ethical standards when conducting business activities, and implement their own anti-corruption measures.

11.1.2. The Organization carries out special procedures to check counterparties in order to reduce the risk of involvement of the Organization in corrupt activities and other unfair practices during relations with counterparties (collection and analysis of publicly available information about potential counterparties: their reputation in the business community, duration of activity, involvement in corruption scandals, etc.):

11.1.3. The Organization informs and disseminates among counterparties the standards of conduct, procedures and rules aimed at preventing and combating corruption, which are applied in the Organization by posting information on corruption prevention measures taken in the Organization on the official website;

11.1.4. In order to comply with the principles and requirements of the anti-corruption law and this Policy, the Organization shall include provisions on compliance with anti-corruption standards (anti-corruption clause) in the contracts concluded with counterparties (Appendix N 1 to the Policy).

## **12. Anti-corruption counseling and training of the Organization's employees**

12.1. All employees of the Organization, regardless of their position, must be familiarized with this Policy. Employees of the Organization, responsible for the prevention of corruption and other offenses or the management of the Organization shall inform employees about the key principles of anti-corruption legislation, requirements and sanctions for their violation;

12.2. The text of the Policy, as well as amendments and additions to it shall be brought to the attention of all employees of the Organization on a mandatory basis, as well as upon hiring, appointment to another, higher position, involving the performance of duties related to the prevention and combating of corruption. The fact of familiarization with the Policy is documented by the employee's signature on the Commitment to adopt and comply with the Anti-Corruption Policy of the Organization (Annex No. 2 to the Policy);

12.3. The management and/or the employee of the Organization responsible for the prevention of corruption and other offenses shall conduct periodic training of employees to form an appropriate level of anti-corruption culture in the Organization. It is allowed to periodically assess the knowledge of employees of the Organization of the provisions of anti-corruption legislation, the provisions of this Policy, other local regulatory documents in the form of tests, etc;

12.4. Counseling on anti-corruption is carried out on an individual basis by an employee of the Organization, responsible for the prevention of corruption and other offenses. Counseling on private issues of combating corruption and settlement of conflicts of interest is carried out confidentially.

### **13. Internal Control**

13.1. Internal control of financial and economic activities, control over completeness and accuracy of data reflected in accounting, compliance with applicable Georgian legislation and internal regulatory documents of the Organization, including the principles and requirements set forth in this Policy

cy, shall be performed in the Organization in accordance with the legislation;

13.2. The requirements of this Policy, taken into account in the formation of the internal monitoring system of the Organization:

- Verification of compliance with organizational procedures and rules of activity significant in terms of work on prevention of corruption;
- Control over the documentation of business transactions;
- Verification of economic feasibility of operations in areas of corruption risk. 13.2.1 The control of documentation of facts of economic life is primarily related to the obligation of accounting and preparation of accounting (financial) statements and is aimed at preventing and detecting relevant violations: preparation of unofficial statements, use of forged documents, recording non-existent expenses, absence of primary accounting documents, corrections in documents and statements, destruction of documents and statements before the prescribed period, etc;

13.2.2. The economic feasibility of transactions in areas of corruption risk shall be verified with respect to the exchange of business gifts, entertainment expenses, remuneration to external consultants, taking into account the circumstances-indicators of misconduct, for example:

- Payment for services, the nature of which is uncertain or questionable;
- Providing expensive gifts, payment for transportation, entertainment services, issuing loans on favorable terms, not provided by the Organization, providing other values or benefits to external consultants, government or municipal officials, employees of affiliates and counterparties;
- Payment of remuneration to an intermediary or external consultant in violation of laws or internal regulations of the Organization;
- Purchases or sales at prices significantly different from market prices;
- Questionable cash payments.

13.3. Internal control for the purpose of combating corruption is carried out by the management bodies and employees of the Organization, constituting the internal control system, the competence and powers of which are determined by job descriptions and other documents of the Organization.

**14. Liability of Employees for Failure to Comply with Requirements of this Policy** 14.1. All employees of the Organization shall comply with anti-corruption laws, the provisions of this Policy and other internal regulations governing the prevention and combating of corruption;

14.2. Employees of the Organization who have violated the anticorruption legislation of Georgia, as well as the requirements of this Policy, may be brought to disciplinary, civil or criminal liability on the initiative of the Organization, law enforcement agencies or other persons in the manner and on the grounds provided by applicable anti-corruption legislation, internal regulatory documents of the Organization and employment contracts;

14.3. At the same time, the Organization guarantees that no employee will be subject to sanctions (including dismissal, demotion, or deprivation of any payments due) if he/she reported to the

management of the Organization the alleged fact of corruption, or if he/she refused to give a bribe or receive any values, to commit commercial bribery, etc., including if such refusal resulted in loss of profit or benefits to the Organization.

## **15. Procedure for reviewing and amending the Policy**

15.1. The Organization regularly monitors the effectiveness of the implementation of the Policy. The Organization's management annually prepares a report on the implementation of measures to prevent corruption in the Organization;

15.2. This Policy can be improved taking into account new trends in global practices of corporate conduct;

15.3. The provisions of the Policy may be revised in the event of changes in anti-corruption laws, labor laws, changes in the organizational and legal form or management structure of the Organization, on the recommendations of donors to the Organization, on the recommendations of the relevant government agencies.

## ***Appendix 1***

### *Addendum to the employment agreement*

#### **Anti-corruption clause**

1. In the performance of their obligations under this Contract (Agreement), the Parties, their affiliates, employees or intermediaries shall not pay, offer to pay or permit the payment of any money or anything of value, directly or indirectly, to any person to influence the actions or decisions of such person in order to obtain any improper advantage or for any other improper purpose. In the performance of their obligations under this Contract (Agreement), the Parties, their affiliates, employees or intermediaries shall not perform any actions that qualify as bribery, commercial bribery or other actions that violate the requirements of applicable laws and international anti-corruption acts applicable for the purposes of this Contract (Agreement);

2. In the event that a Party suspects that a violation of any provision of paragraph 1 of this Section has occurred or may occur, the relevant Party shall notify the other Party thereof in writing. In the written notice, the Party shall be required to cite facts or provide materials reliably confirming or giving reason to believe that a violation of any provision of paragraph 1 of this section has occurred or may occur by the other Party, its affiliates, employees or intermediaries.

The party who receives notice of a violation of any provision of paragraph 1 of this section shall review the notice and notify the other party of the outcome within ten (10) business days of receipt of the notice;

3. The parties guarantee that due diligence shall be exercised with respect to violations of the provisions of paragraph 1 of this section and that effective measures shall be taken to prevent possible conflicts of interest. The parties guarantee that there will be no negative consequences for the notifying party as a whole and for the specific employees of the notifying party who have reported violations;

4. If it is confirmed that one party is in breach of paragraph 1 of this section and/or the other party has not received information on the outcome of the breach notice review in accordance with paragraph 2 of this section, the other party has the right to terminate the contract (Agreement) unilaterally out of court in whole or in part by sending a written notice not later than 15 (fifteen) calendar days before the date of termination of the contract (Agreement);

5. The Party, on whose initiative this Contract (Agreement) was terminated in accordance with the

provisions of paragraph 4 of this Section, shall be entitled to claim compensation for actual damages incurred as a result of such termination.

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\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name

***Appendix 2***  
*Addendum to the employment agreement*

**Commitment to adopt and comply with UnMode's Anti-Corruption Policy**

\_\_\_\_\_  
Name

I am informed of the contents of UnMode's Anti-Corruption Policy (hereinafter "Policy"). The principles and requirements of UnMode regarding compliance with anti-corruption laws have been explained to me.

I agree with the Policy and undertake to comply with the requirements of the Policy and to be guided by them when making decisions in my professional activities.

I understand and accept personal responsibility for compliance with applicable Georgia anti-corruption laws, principles and requirements of the Policy.

« \_\_\_\_\_ » \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed name