

Business code of conduct for the private sector in the DRC (BCOC)

Business is a cornerstone of prosperity in society because companies create the resources required for social development and welfare. As members of society, we commit ourselves to be responsible corporate citizens. And for this reason, we, the business sector of the Democratic Republic of the Congo, commit ourselves to implement, uphold and promote the following standards:

Value 1: Integrity

Conducting business with integrity requires that we commit ourselves to the highest ethical standards in our conduct. In this way we build trust, which is necessary for business to thrive.

We therefore commit to:

- Speaking the truth and acting with integrity in all our actions;
- Combating dishonest and criminal activities such as theft, fraud and corruption; and
- Avoiding actual, potential and perceived conflicts of interest.

Value 2: Good governance

Practising good governance requires that we subscribe to complete **responsibility** and **accountability**.

We therefore commit to:

- Taking responsibility for our actions and communications;
- Complying with the laws and regulations of the country;
- Meeting the highest standards of service and productivity;
- Accepting personal and corporate responsibility for our actions;
- Taking responsibility for strengthening our society; and
- Upholding environmentally sound practices.

Value 3: Respect

Conducting business with respect requires that we have high regard for the **dignity and rights of all people**.

We therefore commit to:

- Treating clients, suppliers, staff and other stakeholders with dignity and fairness;
- Valuing each individual's culture and beliefs;
- Upholding the human rights of all workers, clients and communities;
- Taking into account the social, environmental and economic impact of our activities on the community;
- Providing a work environment free of all forms of discrimination; and
- Ensuring a safe and healthy work environment.

Value 4: Transparency

Conducting business in a transparent manner requires that we are **open** and **clear** in our communication and business practices.

We therefore commit to:

- Disclosing information relevant to our stakeholders timely and accurately;
- Making information about our business operations accessible; and
- Refraining from anti-competitive behaviour.

1. To whom does the Code of Conduct apply?

The Code of Conduct for the private sector in the DRC applies to all formal and informal private companies who conduct business in the DRC, regardless of the size, type and sector. Also, the code applies to business associations in the DRC and parastatals. The code can also be used in the public sector.

2. What will be the purpose of the Code of Conduct?

The code has a double purpose:

Internally (in companies):

- Create awareness about best practice ethical business conduct in the DRC amongst all citizens;
- Ensure that all private companies in the DRC conduct business in a responsible and ethical way; and
- Discourage unethical business conduct.

Externally:

- Improve the reputation of the DRC internationally to attract more foreign investment;
- To reduce the level of corruption in the DRC.

3. How will companies commit to the Code of Conduct?

The level of commitment of companies can vary from a light commitment to a serious commitment. Three levels of commitment are described in the table below. Each level of commitment comes with requirements of what it would mean for the company and what it should do to live up to that level of commitment to the common code. A company can, voluntarily, choose one of the options below, or it can opt for a lower category commitment initially and then over time progress to a higher category of commitment.

Category 1: ADOPT the code by signing up The company will adopt the code by signing a document (see example attached) where they indicate their commitment to the code	• Company will adhere to the code • Company will avoid unethical behaviour • Company will become a member of the anti-corruption initiative • Company will attend seminars and workshops from the anti-corruption initiative • Company will visibly promote responsible business conduct and convince other companies to also sign up to the code
Category 2: INTEGRATE the code The company will adopt the code and will start (or continue) with an ethics and anti-corruption management programme within the company.	• Company will support, adopt and integrate the standards as set out in the code within the company (or ensure that principles of the common code are reflected in the company's own code) • Company will develop an internal ethics programme to manage ethics and good governance in the company (risk assessment, top level commitment, policies and procedures, effective implementation, training, awareness and monitoring and review¹) • Company will appoint an 'ethics champion' who will promote ethics within the company • Company will report publicly on its progress regarding the integration of ethics within the company • Company will attend seminars and workshops from the anti-corruption initiative and will convince other companies to do the same • Company will clearly and visibly promote responsible business conduct and convince other companies to also sign up to the code
Category 3: INTEGRATION, REPORTING and EXTERNAL ASSESSMENT	• Company will do everything as set out in category 2 • Company will allow an external assessment of its internal ethics management function and ethics programme. Such an audit assesses where the status of ethics management in the company is and identifies its ethics risks. It is not an investigation into unethical conduct. The outcome of the audit would be advisory with no punitive measures.

¹ These principles for companies to comply with, to avoid liability for employees' or agents' bribery, are included as such in the UK Bribery Act. More information can be found on the following link <http://www.out-law.com/page-11374>

4. The anti-corruption initiative in the DRC

The anti-corruption initiative in the DRC will organise activities, like seminars and trainings, for companies who have signed up to the Code (or aim to do this) as to assist them with the implementation of the Code of Conduct.

A newsletter with relevant information will be distributed to the members of the initiative, whom signed up to the Code, as to keep all informed about upcoming activities.

For more information, an email can be send to bonnegouvernance@hotmail.com

More info can also be found on www.baacafrika.org.