



COMPLIANCE AND INVESTIGATIONS POLICIES AND PROCEDURES: AN OVERVIEW

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INTRODUCTION

01

PRESENTATION COVERS ONE TOPIC

COMPLIANCE AND INVESTIGATIONS POLICIES AND PROCEDURES: AN OVERVIEW), lasting approximately one hour.

02

DISCUSSION

We encourage discussion and collaboration when responding to the questions on each topic.

03

MAXIMISE PARTICIPATION

We encourage respectful interaction by all participants. Please enable each participant to voice their views and to be heard.



CONTENT

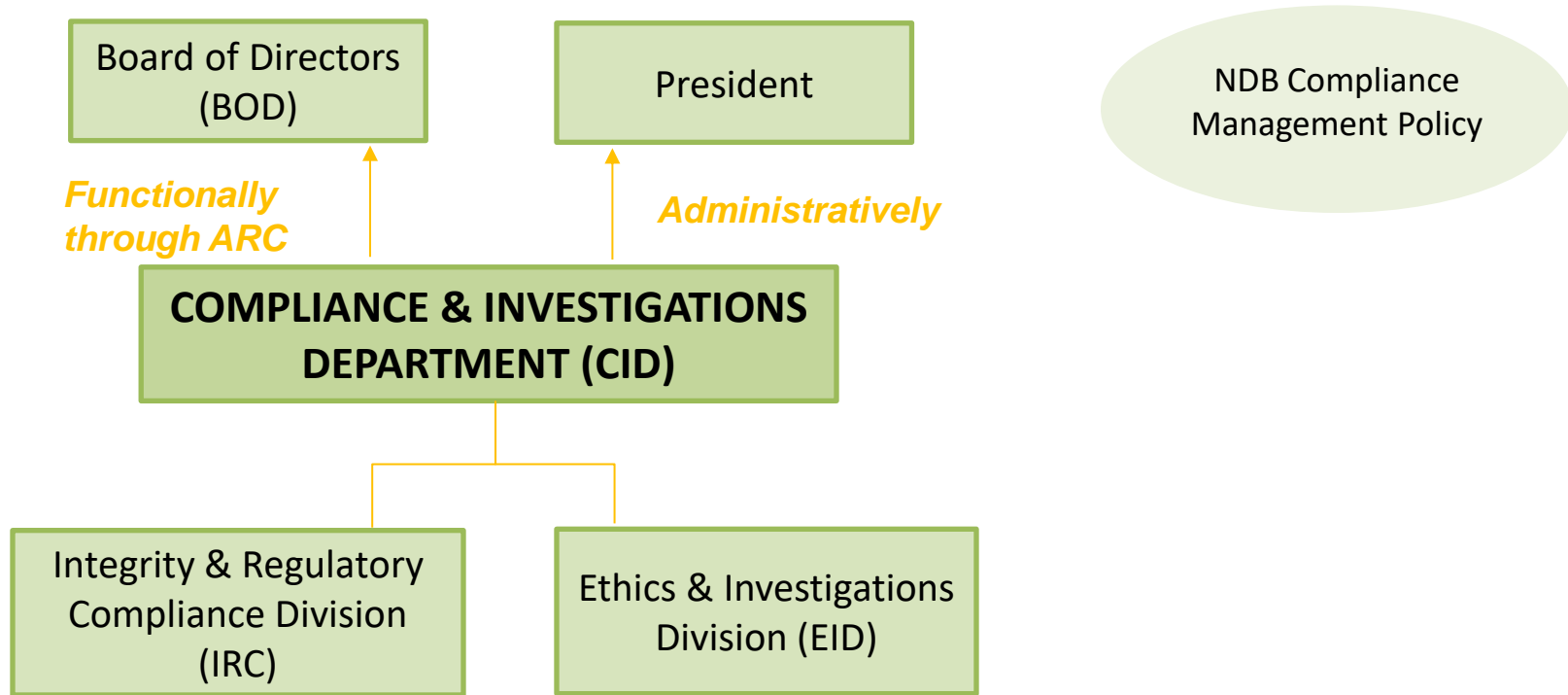


CONTENT

1. EID in NDB
2. EID's mandate
3. Compliance management framework
4. Role and function
5. The investigation process
6. Complaints related to Bank-financed projects
7. Conclusion



EID IN NDB



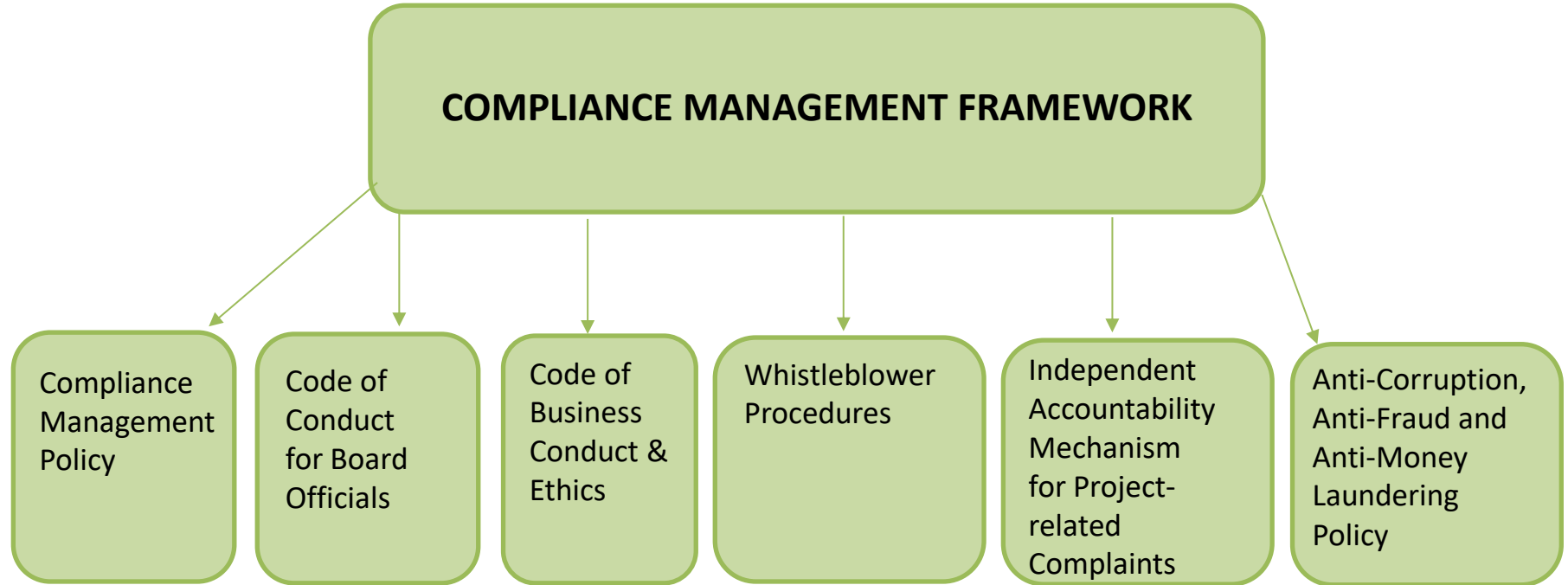


EID MANDATE

EID's mandate stems from the NDB Compliance Management Policy, which encapsulates the Compliance Management Framework

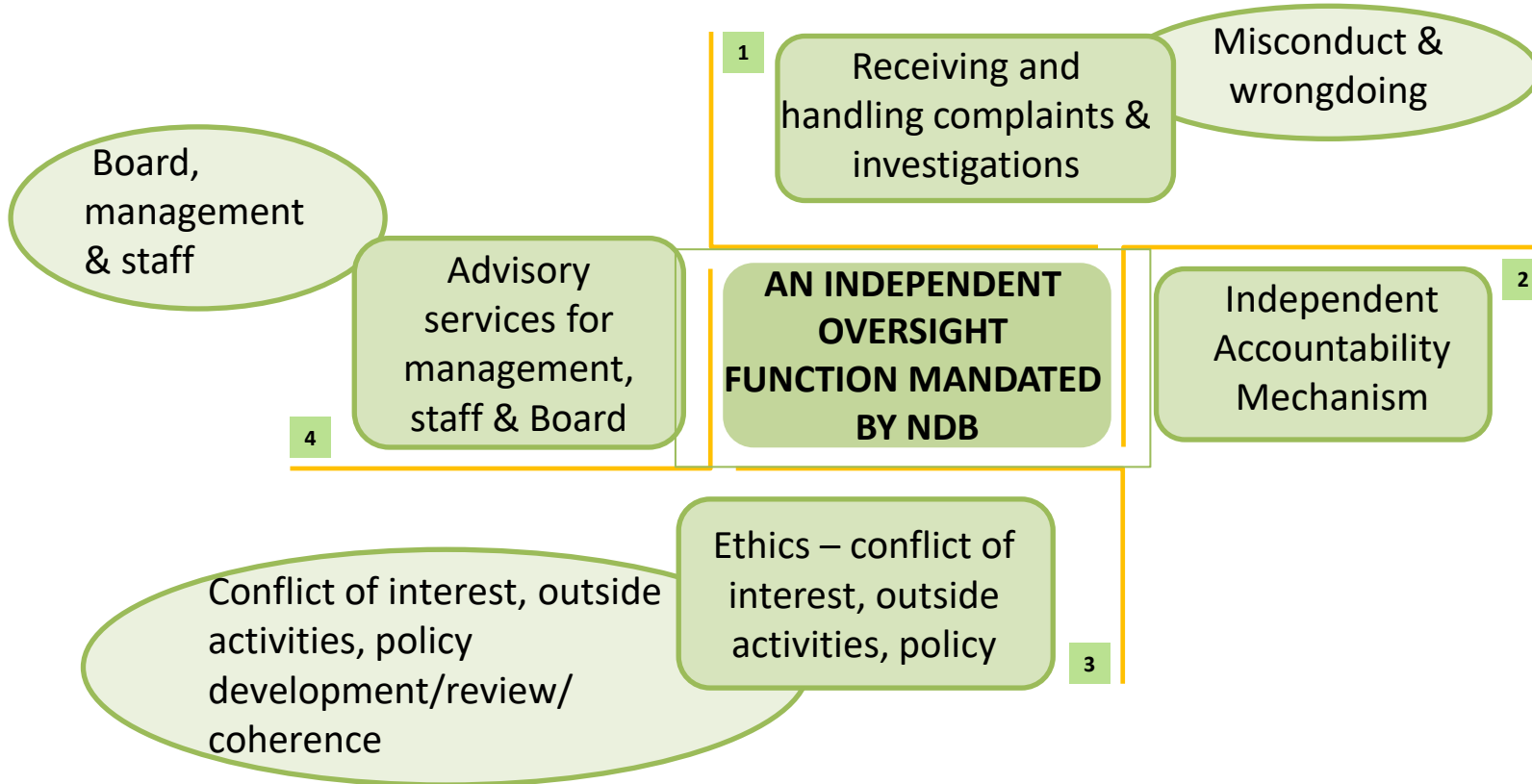


EID MANDATE



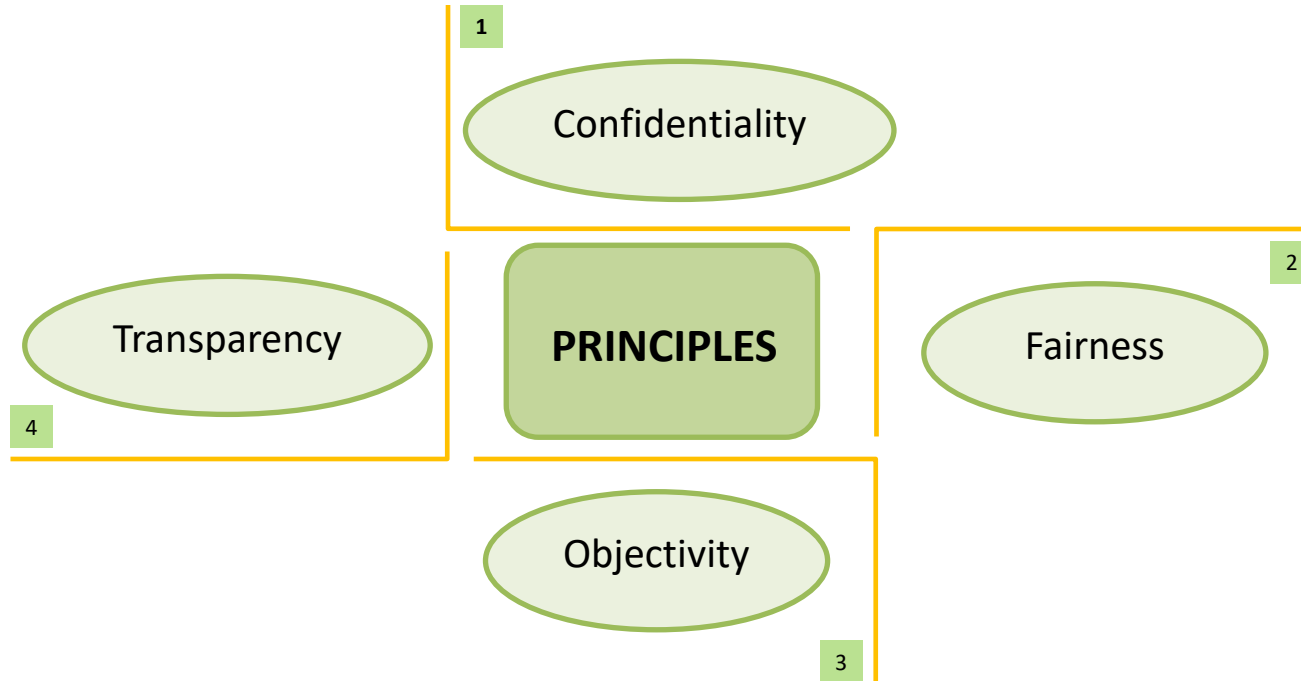


EID's ROLE AND FUNCTION IN NDB



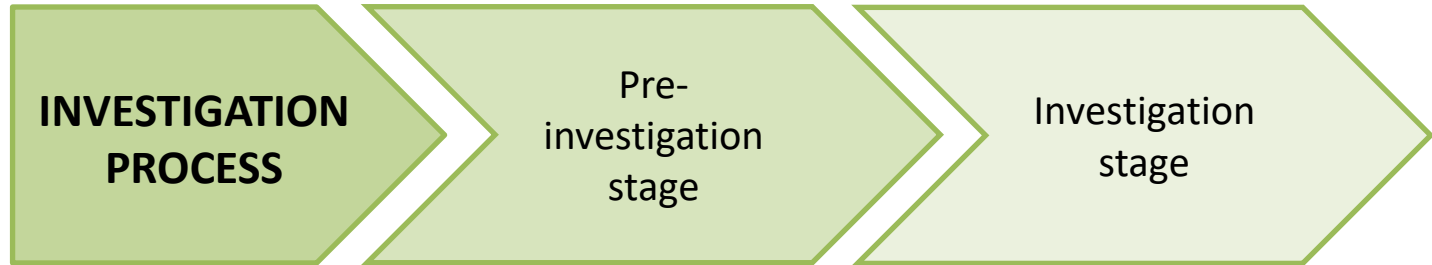


EID's CORE PRINCIPLES





THE INVESTIGATION PROCESS: STAGES





PRE-INVESTIGATION STAGE

- The complaint is registered and acknowledged.
- Preliminary review.
- Misconduct: fraud; theft; sexual harassment, COI.
- Wrongdoing: prohibited practices.
- Prima facie case established → investigation; No such case is found → closure



INVESTIGATION STAGE

- EID has the sole mandated function to conduct investigations in a fair, professional, and objective manner.
- EID has unlimited access to information.
- Investigative activities – a fact-finding process.
- Cooperation is mandatory.
- EID produces an investigation report or a closure report: findings, conclusions, and recommendations.
- Ad-Hoc Committee deliberates and makes recommendations →
Final decision-maker: President and VP/CAO



INVESTIGATION PROCESS: RETALIATION

WHAT IS RETALIATION?

- Any detrimental action recommended, threatened, or taken against an individual engaged in a protected activity, such as reporting misconduct or cooperating with fact-finding activities.
- Retaliation constitutes misconduct.

ANTI- RETALIATION MEASURES

- Protection where complaints made in good faith.
- Information is treated with strict confidentiality; anonymity is granted where applicable.
- Who is protected?
- When must the complaint be made?
- CID assesses cases and makes recommendations.
- CID provides training.



INVESTIGATION PROCESS: DUE PROCESS

COMPLAINTS

- Right to file a complaint in good faith and know the result.
- Anonymous reporting will not be possible in certain instances.

SUBJECTS

- Assessment phase: prima facie – warrants investigation.
- During investigation, an opportunity to be heard and present a version of events.
- After investigation, the right to appeal.

STANDARD OF PROOF

- Balance of probability = reasonable conclusions supported by adequate evidence.



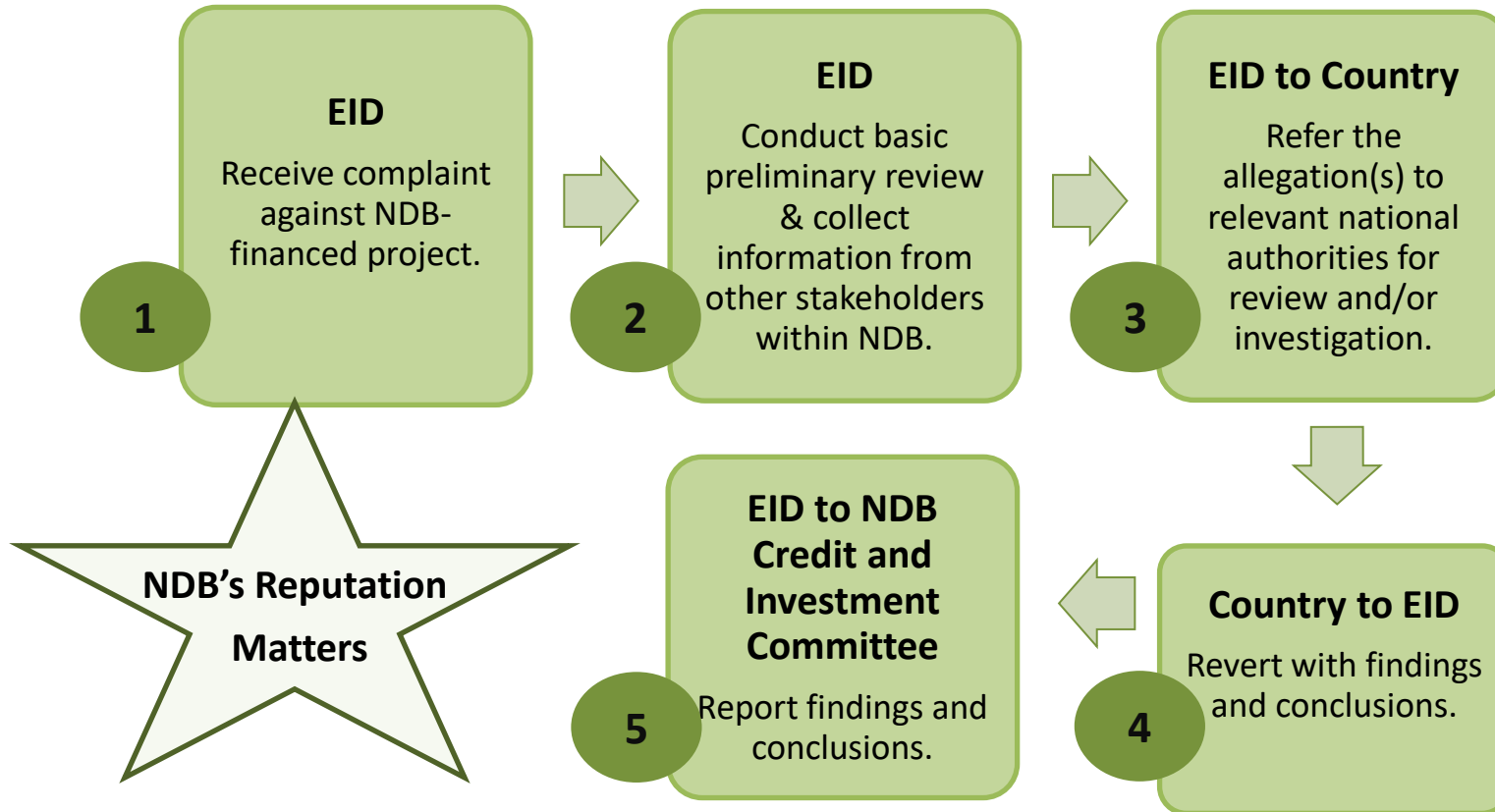
COMPLAINTS RELATED TO BANK-FINANCED PROJECTS

COMPLAINTS

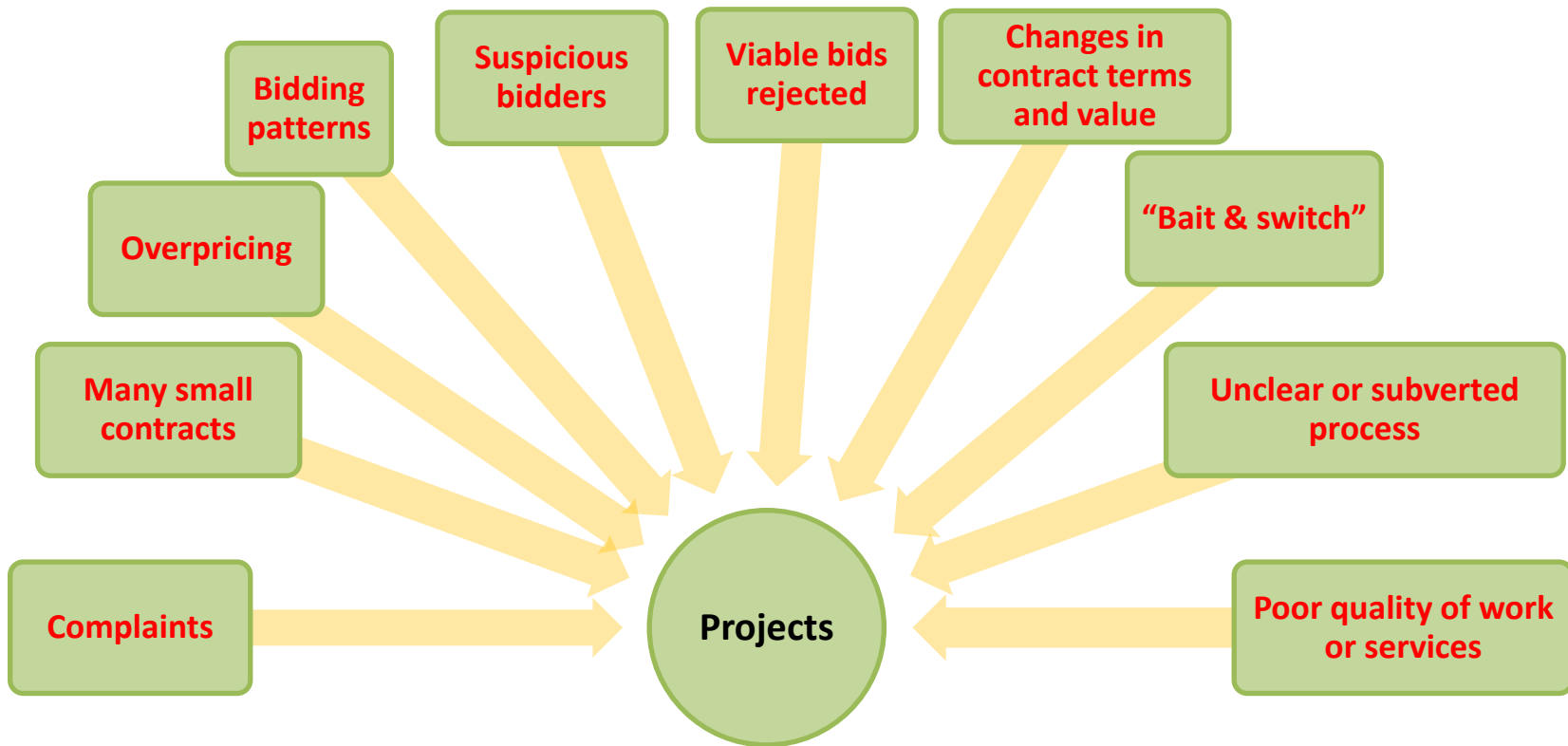
- EID handles complaints of wrongdoing in consultation with internal and external parties.
- The complaints are against Bank contractors, borrowers and/or their affiliates/contractors, and
- Fraud, corruption etc



COMPLAINTS REALTED TO BANK-FINANCED PROJECTS – COUNTRY SYSTEM



COMPLAINTS REALTED TO BANK FINANCED PROJECTS - WARNING SIGNS OF POSSIBLE FRAUD IN PROJECTS



COMPLAINTS RELATED TO BANK-FINANCED PROJECTS - EXAMPLES OF RED FLAGS IN PROJECTS



1

Bidding patterns

- Presence of the same or affiliated companies among the bidders
- Identification of the same limited group of companies among the qualified bidders
- The companies of that group, over time, receive all or most of the contract

2

Suspicious bidders

- Companies that do not indicate an official registration or national taxpayer identification number
- No physically verifiable addresses
- The bidder has no proven technical expertise or references of past work for the job advertised

COMPLAINTS REALTED TO BANK-FINANCED PROJECTS - EXAMPLES OF RED FLAGS IN PROJECTS



3

Changes in contract terms and values

- A contract has been officially awarded
- At the request of the vendor or of the procurement unit, the terms are modified
- This altered the competition as the other bidders were not offered the opportunity to present their offer on the new terms

4

“Bait and Switch”

- A bidder does not have the proper capacity to answer the exigencies of the bid, but nevertheless compete
- The bidder drafts a proposition in line with the conditions of the contract advertised, but later substitutes a service/equipment of a lower quality



REPORTING CHANNELS

NDB Whistleblowing webpage: <https://www.ndb.int/governance/whistleblowing/>

01

(Please mark correspondence “Confidential”)
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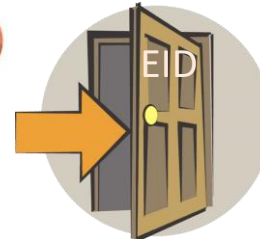
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04





CONCLUSION

Any questions and/or comments?





Thank you