

# Application of Anti-bribery management systems in administrative and public agencies in Viet Nam

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# Bribery is a worldwide phenomenon

- ✓ Bribery increases negative effects and causes serious social, moral, economic and political consequences.
- ✓ Governments, international and regional organizations share similar concerns in the battle against bribery
- ✓ Many international agreements and conventions on anti-bribery were developed and ratified
- ✓ Most of countries have been legalizing regulations on anti-bribery
- ✓ Organizations and individuals should assume the responsibility to proactively participate in the battle against bribe.

# International standard ISO 37001 on Anti-bribery management system

- ISO published in October 2016.
- ISO Technical Committee /TC 309 “*Governance of organizations*” developed with the participation of 72 member countries, 120 experts and representatives from OECD, TI and International Chamber of Commerce.
- Implicated the global consensus on anti-bribery.
- The necessity to have an anti-bribery management system for organizations to apply worldwide.
- In 2008, accepted by Ministry of Science and Technology to be the National Standard TCVN ISO 37001:2018

## Scope of ISO 37001

- It specifies requirements and provides guidance for establishing, implementing, maintaining, reviewing and improving an anti-bribery management system.
- It sets out requirements and provides guidance for a management system designed to help an organization to prevent, detect and respond to bribery and comply with anti-bribery laws and voluntary commitments applicable to its activities.
- It is applicable only to bribery. It does not specifically address fraud, cartels and other anti-trust/competition offences, money-laundering or other activities related to corrupt practices.
- It can be stand-alone or can be integrated into an overall management system

## Who can use this Standard?

The standard is flexible and can be adapted to a wide range of organizations, including:

- Large organizations
- Small & medium sized enterprises (SMEs)
- Public and private sector organizations
- Non-governmental organizations (NGOs)

The standard can be used by organizations in any country.

## Benefits of ISO 37001

- To implement an anti-bribery management system or enhance the controls in organization.
- It requires implementing a series of measures such as adopting an anti-bribery policy, appointing someone to oversee compliance with that policy, vetting and training employees, undertaking risk assessments on projects and business associates, implementing financial and commercial controls ...
- It requires leadership and input from top management, and the policy and program must be communicated to all staff and external parties.
- It helps to reduce the risk of bribery occurring.
- It can also provide evidence in the event of a criminal investigation that you have taken reasonable steps to prevent bribery.

# Measures for implementation

The organization must implement a series of measures and controls in a reasonable and proportionate manner to help prevent, detect, and deal with bribery, including:

- Anti-bribery policy
- Management leadership, commitment and responsibility at highest level
- Appoint individual/department in charge of the anti-bribery management system
- Personnel controls and training
- Risk assessments on a periodical basis of relevant parties
- Due diligence on projects and business associates to prevent bribery
- Control gifts, receiving guests, charity work... not abused for bribes
- Require business stakeholders to commit to fighting bribery
- Financial, commercial, contractual, procurement controls
- Process for investigation and handling of bribes or suspected bribes

# **Application of TCVN ISO 37001 in administrative and public agencies**

- Identify scope of the anti-bribery management system.
- Study the organization and context of the agency
- Role of the highest leadership.
- Mobilize the participation of related parties in the anti-corruption, in which enterprises play an important role.
- Focus on raising awareness and training on anti-bribery management system.
- Risk assessment on bribery
- Monitor, analyze and assess results of implementation
- Integrate with another/other management system(s)



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*Thank you!*

**Economic benefits**  
of **standards**