

Code of Conduct (CoC) of the German Alliance for Trade Facilitation

I. Fundamental values of the Alliance

The German Alliance for Trade Facilitation (hereinafter 'Alliance') brings together German and international companies with political and economic stakeholders from partner countries. We dismantle bureaucratic barriers and agree on transparent customs, import and export requirements through our projects.

With the support of the German Federal Government, the Alliance combines the strengths of companies, business associations and ministries, thereby laying the foundations for sustainable change. We work within the framework of the World Trade Organization's (WTO) Trade Facilitation Agreement (TFA) to promote economic development in emerging markets and developing countries. We also contribute to the implementation of regional trade agreements between developing countries (in particular the African Continental Free Trade Area – AfCFTA). The Alliance thus contributes to the 2030 Agenda, which is the global agenda for sustainable development.

More information about the Alliance can be found at www.tradefacilitation.de.

The Alliance implements projects that are tangible, measurable, and sustainable, thereby ensuring that a wide range of stakeholders can benefit from the results. Every measure is designed to benefit project partners, national and international companies, and the local economy. This is achieved by holding various consultation meetings with all stakeholders involved in trade processes, with the goal of identifying their interests and needs. The Alliance adopts a gender-sensitive approach to ensure that people of all genders and gender identities benefit equally from its projects.

All activities are based on Alliance's core values of transparency, fairness, openness, neutrality, inclusion and equal treatment. The Alliance does not tolerate any discrimination or harassment whatsoever on the basis of a person's age, ethnic origin or nationality, gender or gender identity, physical and mental ability, religion and belief system, sexual orientation or social background in any aspect of its work or decision-making.

II. Participation in the Alliance

The German Federal Ministry for Economic Cooperation and Development (BMZ) and the German Federal Ministry for Economic Affairs and Climate Action (BMWi) support the Alliance in promoting the implementation of TFA and specific contributions to the implementation of regional trade agreements between developing countries (in particular AfCFTA). BMZ provides political support for projects and assists in financing their implementation.

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH implements projects on behalf of the German Government and manages the Alliance's Secretariat. The Alliance brings German and international companies, associations, chambers of industry and commerce and other organisations together with administrative and economic stakeholders in partner countries. No obligatory contributions, financial or otherwise (e.g. 'contributions in kind') are required to take part in Alliance projects and activities.

The Alliance is open to any interested participants, except for those whose activities come under the criteria of the International Finance Cooperation's (IFC) 'Exclusion List', i.e.:

- Companies whose activities or production practices involve the use of forced or child labour as defined under the International Labor Organisation's (ILO) core labour standards.
- Companies that produce, use or trade in pharmaceuticals, pesticides/herbicides, chemicals, ozone-depleting substances and other hazardous materials that are subject to international regulations designed to prohibit or phase out their use.
- Traders in animals or animal products subject to CITES (the Convention on International Trade in Endangered Species of Wild Fauna and Flora).
- Companies involved in the commercial logging of primary rainforests.
- Producers of timber or timber-based products from forests that are not sustainably managed (companies with less than 50% Forest Stewardship Council (FSC)-certified production are excluded from participation).
- Companies involved in the production of and trade in weapons, or important components used in the production of weapons (anti-personnel mines, biological and chemical weapons, cluster bombs, radioactive munitions and nuclear weapons).
- Companies that use drift nets in deep-sea fishing (when fishing with nets longer than 2.5 km).
- Organisations involved in the farming and processing of tobacco.
- Operators of controversial forms of gambling: casino operators, manufacturers of devices or other equipment for casinos or betting offices or companies that generate revenue through online betting ('short odds' are considered to be a 'controversial form of gambling' in this context).

- Companies involved in any business activity involving pornography.
- Producers and distributors of racist, anti-democratic and/or neo-Nazi media.

III. Competition and antitrust guidelines

The Alliance and its participants conduct all activities in compliance with German and international competition and antitrust laws and comply with all applicable regulations:

The Alliance's participants must observe antitrust regulations at all times, in accordance with applicable laws. The following principles cover key points (descriptions and list are not comprehensive). All agreements between companies (as well as coordinated, concerted practices) that have the objective or effect of preventing, restricting or distorting competition are prohibited. In particular, participants in the Alliance shall not be party to the following activities under any circumstances:

- Price-fixing
- Collusion with competitors regarding terms and conditions
- Market-sharing agreements (territories, customers or quotas)
- Bid rigging
- Coordinating investments or business closures

The exchange of knowledge and/or information within the Alliance must not restrict competition. In particular, participants in the Alliance shall not exchange information on the following activities under any circumstances:

- Pricing, pricing strategy and future market behaviour
- Individual terms of sale and payment conditions
- Individual discounts and credits
- Manufacturing or sales costs, cost accounting methods and formulas
- Procurement costs, production, stock levels and individual sales transactions
- Production quantities or cutbacks
- Market composition or supplier landscapes (neither geographical nor by customer)
- Confidential data on investments or technical developments

IV. Anti-corruption and integrity guidelines

The Alliance and its participants shall conduct all activities in compliance with German and international anti-corruption laws.

The Alliance's participants shall adhere to the following basic principles in particular:

1. Participants shall observe and comply with applicable anti-corruption legislation

2. They are prohibited from soliciting, accepting, offering, promising or instigating bribes, either directly or indirectly
3. They shall also implement and maintain an effective compliance management system that systematically creates the conditions required to avoid infringements (or else makes these considerably more difficult), facilitates the identification and resolution of any infringements that do occur and encourages corporate governance characterised by integrity.

IV. Data protection

Comprehensive information about our data protection policy can be found at <https://www.tradefacilitation.de/en/datenschutz/>.

V. Official representation of the Alliance and communication by members

Members of the Alliance shall not represent the former in an official capacity, nor speak on behalf of it without consulting the Alliance's Secretariat beforehand. All public communication must be aligned with the Alliance's core principles and the guidelines stipulated in this document.

Participants in the Alliance are permitted to disclose their membership to external sources and may use the Alliance's logo when doing so. The content of any such communication must be agreed upon with the Secretariat in advance. The Secretariat may provide additional materials, texts, and images upon request.

VI. Breaches of the Code of Conduct

Breaches of the Code of Conduct by employees, interested parties and participants can be reported to the Alliance for Trade Facilitation's Secretariat. These reports can be sent by email (no set form) to tradefacilitation@giz.de along with corresponding evidence. Such emails will be treated confidentially and only shared internally for processing purposes. Breaches of the Code of Conduct on the part of GIZ can be reported confidentially via the official [Compliance Management System \(CMS\)](#) or to the external ombudsman:

E: ombudsmann@ra-js.de,

T: Edgar Jousen, Tel +49 30 3151870

Postal address: Dr Edgar Jousen (lawyer), Bleibtreustr. 1, 10623 Berlin, Germany

Internet: www.ra-js.de (German)

The Secretariat records and reviews all reported breaches of the Code of Conduct. Once the review has been completed, the Secretariat discusses, in the strictest confidence, both the report and the results of the review with the Alliance's Steering Committee, which consists of representatives of ministries, companies, associations and GIZ. A decision is then made regarding the severity of the breach. Serious breaches are dealt with by senior officials at BMZ and GIZ. In the case of lesser breaches and in situations where no breach is identified, the Steering Committee is responsible for deciding on the resulting measures or communications.