

Compliance Guidelines of the German-African Business Association (Afrika-Verein der deutschen Wirtschaft e.V.)

Adopted by the Management Board of the German-African Business Association in its meeting of 29 October 2020

This English translation of the German original is provided for convenience purposes. Only the original German version is binding.

Preamble

Observing the requirements of these Compliance Guidelines on the basis of our values of legality, integrity, transparency, and responsibility is a prerequisite for the constructive, reliable, and sustainable development of the German-African Business Association and its members. The obligations for conduct and communication contained in these guidelines are implemented in the day-to-day activities of the bodies, company delegates, working and expert groups, and employees of the Association. Compliance with our rules is monitored by the Compliance Committee appointed by the Management Board. Conduct in breach of the obligations, whether deliberate or negligent, is not tolerated, and violations will be sanctioned by the Management Board.

Legality and Business Ethics

We conduct our activities in a manner that complies with applicable laws, official directives, our Articles of Association, rules of procedure, and voluntary commitments in Germany as well as in African countries. We are committed to the standards of professional and responsible association management. In order to avoid risks, internal or external legal advice is sought in case of doubt. We act in accordance with principles of fairness, loyalty, and integrity in our dealings with government and administration, members, partners, and competitors. Economic, environmental, and social criteria are given appropriate consideration in accordance with a balance of interests and the principle of proportionality.

Non-Profit Status

We use our resources exclusively, directly, and selflessly for non-profit and charitable purposes in accordance with our Articles of Association. We take great care to avoid any threat to our non-profit tax status. This means, among other things, that:

- The resources of the German-African Business Association are available to all members in equal measure for the realisation of the purposes of the Association in accordance with its Articles of Association.
- Information provided to or prepared by the German-African Business Association shall, in principle, be made available to all its members on request.
- Members and honorary members of the bodies of the German-African Business Association do not receive any benefits from the funds of the Association. Expenses are reimbursed only upon providing proof of the expenses.
- We do not provide material or personnel support for third-party business purposes, but rather represent the collective interests of our members in political and social dialogue, and support members through information, sharing knowledge and experience, and events for industry and target groups.

- The German-African Business Association does not primarily pursue its own economic interests. We make the results of our activities available to the general public in Germany, as well as to our partners in the African partner countries.
- All service relationships are conducted on an arm's length basis and with due consideration of all circumstances. Business relationships with related parties are reviewed for plausibility and documented.
- All processes relevant to the business activities of the German-African Business Association that are subject to transparency requirements and accountability are digitally archived in the business premises in a secure manner that can be retrieved at any time.
- We are nonpartisan and politically neutral towards governments, organisations, and associations.

Anti-Trust Law, Foreign Trade

Free and fair competition is of fundamental importance to us. The German-African Business Association is therefore committed to consistent compliance with German and European antitrust law. We pursue legitimate, legal, and recognised association activities in a market economy. Accordingly, any exchange of information, agreements, collusion, pronouncements, or recommendations that have the purpose or effect of distorting competition are prohibited in the German-African Business Association.

Commitments and recommendations are made in an open, transparent, and non-discriminatory process.

In all committees and project groups, senior management takes appropriate measures to ensure compliance with antitrust laws, especially with respect to sensitive information and anti-competitive practices in all Association activities. A full-time employee of the Association is always present at every committee meeting and at all types of events for which the German-African Business Association is responsible and in which competing companies participate.

We observe national and international foreign trade agreements, in particular trade and export controls, as well as international rules on the protection of intellectual property.

We make utmost efforts to prevent any form of or appearance of money laundering or terrorist financing.

Conflicts of Interest

We are aware of the loyalty expected toward our Association and its members. As such, when acting for and on behalf of the German-African Business Association, we act in the exclusive interest of the Association and its members and take due care to avoid conflicts of interest. When there are conflicts of interests between members of the Association, we take a neutral position.

In particular:

- The resources, services, and confidential information of our Association may not be used to gain advantages of any kind for the members of the bodies and employees of the Association or for third parties.
- If a member of the bodies or employee of the Association holds another function, position, or other honorary office, they shall ensure that this does not interfere with the interests of the German-African Business Association or its members.

- In the event of unavoidable conflicts of interest, these are to be disclosed to the Executive Committee and the Management Board, or the activity in question is to be transferred to other responsible persons at the Association.

Benefits and Corruption

The German-African Business Association does not tolerate any form of bribery or corruption. Representatives of the bodies and employees of the Association take great care to ensure that gifts, invitations, or the granting of other benefits are appropriate and do not exceed the limits that could call into question the professionalism, freedom of decision-making, or independence of the members of its bodies and employees or that of third parties. Gifts and other benefits given and received can have negative tax consequences for the German-African Business Association. Preventative care must be taken to ensure compatibility with the relevant tax regulations and international conventions.

- Private and business interests must not be mixed.
- Care must be taken to ensure appropriateness and transparency with respect to invitations, gifts, or honoraria for lectures etc., as well as with respect to the corresponding reimbursement of expenses.
- In this context, particular care must be taken with regard to office holders and elected officials; no advantages or benefits may be granted, either directly or indirectly, that could influence independent political decision making or the neutral conduct of office.
- The selection of suppliers and service providers is based on objective and comprehensible criteria.
- Donations and sponsorships by the Association are permissible insofar as they are within the framework of the respective legal systems (particularly with respect to tax regulations) and the Executive Committee has given its approval. Donations to and sponsorships of political parties are not permitted in principle.

Representatives of the bodies and employees of the Association observe international conventions, such as the OECD Anti Corruption and Integrity Standards for the public sector. In case of doubt, the Chief Executive Officer is to be asked for a legal opinion.

Professional Communication

The German-African Business Association maintains a transparent, trustworthy, and professional relationship with the media. Communication must be truthful, understandable, timely, and comprehensive. Media partnerships are disclosed.

The members of the bodies and employees of the German-African Business Association clearly distinguish between statements made on behalf of the organisation and private statements in their contact with the press, as well as in publications, social media, forums, and online portals.

Honorary members, member companies, and the employees of the German-African Business Association shall clearly indicate whether they are acting on their own name or on in the name of the German-African Business Association. The latter is only the case where they act on behalf of the German-African Business Association and for the realisation its purposes in accordance with its Articles of Association.

The German-African Business Association represents the interests of its members in a transparent and responsible manner. It takes into account requirements such as those contained in the Transparency Register of the European Union and the corresponding code of conduct for interest representatives.

Privacy and Confidentiality

The members of the bodies and employees of the Association are obliged to maintain secrecy in all confidential matters of the Association and its member companies. Confidential information is all information that is indicated as such, or information that, in the interests of the Association or its members, is not public knowledge and should not be made public knowledge. In cases of doubt, the decision of the management is to be obtained before disclosure. Business secrets shall be adequately protected against disclosure to unauthorised persons.

The members of the bodies and employees of the Association undertake to comply with the provisions of data protection law and to actively contribute to ensuring that personal data are reliably secured against unauthorised access. Personal data may only be collected, processed, or used to the extent that this is necessary for a precisely defined purpose for the legitimate performance of tasks.

If there are any indications of a breach of data protection, the Data Protection Officer and the Chief Executive Officer are to be notified immediately.

Human Rights and Discrimination

The German-African Business Association and its members are aware of their social responsibility. We respect and support inalienable human rights, such as those enshrined in the UN Global Compact.

Openness and the rejection of prejudice are important prerequisites for international cooperation. This also excludes any form of discrimination on the basis of race, national origin, gender, faith, sexual orientation, physical or mental disability, or any other characteristics that are part of human dignity. The German-African Business Association actively promotes a culture of respect and tolerance.