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Expanded RESIST Toolkit Released

In an effort to promote a zero-tolerance attitude by businesses towards bribery and further harmonize existing national anticorruption programs, a group of anticorruption watchdogs recently unveiled an expanded version of the Resisting Extortions and Solicitations in International Transactions (RESIST) anticorruption toolkit at a UN Global Leaders Summit in New York. The expanded toolkit provides guidance on how companies should conduct themselves in 15 new solicitation scenarios involving corruption problems in project implementation and day-to-day operations. These new scenarios supplement the toolkit's seven solicitation scenarios involving the procurement process. While it does not purport to be exhaustive, it is reportedly the only toolkit of its kind, developed by companies for companies, aiming to provide practical guidance for preventing and responding to situations of extortion and solicitation of bribery and other forms of corruption.

Through real-world examples, the RESIST toolkit offers practical advice for companies on ways to prevent inappropriate demands from being made ("Demand Prevention") as well as recommendations for how to confront a demand once it arises ("Demand Response"). Practical advice covers recommendations on straightforward situations, such as requests by government officials for free product samples, to less straightforward dilemmas, such as what to do when newly hired employees cannot obtain work permits unless an extraordinary payment is made.

In addition to the scenarios and guidance, the toolkit provides an annex of general good practices applicable to most solicitation situations. For example, the

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Demand Prevention sections provide guidelines for developing policies on facilitation payments and for company representatives who may be exposed to bribery risks, and outlines steps for implementing additional control procedures. The Demand Response sections provide practical steps on how to react if a bribery demand is made. The complete RESIST toolkit is [available online](#).

The RESIST toolkit was a joint effort by four major international organizations: the World Economic Forum's Partnering Against Corruption Initiative (PACI), the International Chamber of Commerce, Transparency International and the United Nations Global Compact. The PACI is a worldwide initiative launched by company CEOs in the engineering and construction, energy, and metals and mining industries to develop multi-industry anticorruption principles and practices designed to level the playing field based on integrity, fairness and ethical conduct. The International Chamber of Commerce, United Nations Global Compact and Transparency International are international watchdogs dedicated to fighting corruption. Several large multinational companies, such as Alcatel-Lucent, BNP Paribas, The Coca-Cola Company, Siemens and Total, among others, provided input in the development of the toolkit.

The RESIST toolkit is an invaluable tool for all multinational companies to incorporate into their FCPA and anticorruption training to address the daily challenges of doing business abroad. Nevertheless, it is not intended to be a substitute for appropriate professional advice, particularly when national laws are involved.

If you would like to consult on any of the scenarios detailed in the RESIST toolkit or have concerns about your company's anticorruption compliance program, please contact any of the Anticorruption Compliance & Foreign Corrupt Practices Act Practice Group members listed in this Alert.

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