Annex No. 1 to

the Order of Rosatom France

dated 12.05.2015 No. 3

Common Anti-Corruption Policy

of the State Atomic Energy Corporation Rosatom and Its Organizations

Table of Contents

|  |  |
| --- | --- |
| 1. Purpose and Scope | 3 |
| 2.  Terms and Abbreviations | 3 |
| 3. Main Principles of Anti-Corruption Activity, Approaches to Its Implementation, and Used Tools  | 5 |
| 4. Corporation’s Structural Divisions and Officials Responsible for Implementation of Anti-Corruption Policy | 7 |
| 5. Regulatory References  | 7 |
| 6. Procedure for Making Amendments to Anti-Corruption Policy | 9 |
| 7. Control Over Employees and their Liability for Non-Compliance with Anti-Corruption Policy  | 9 |

1. **Purpose and Scope**

1.1. The purpose of the Common Anti-Corruption Policy of the State Atomic Energy Corporation Rosatom and Its Organizations (hereinafter referred to as “the Anti-Corruption Policy”) is the establishment of main anti-corruption principles, of methodological approaches and tools, which, if followed, allows one:

1) To create a regulatory, methodic and organizational anti-corruption framework (including Code of Ethics and Professional Conduct of the Employees of Rosatom and other anti-corruption local regulatory acts);

2) To inform atomic industry organizations of the legal groundwork for anti-corruption and liability for committing corruption offences;

3) To ensure that:

legal acts and managerial decisions in the field of anti-corruption are enforced, to establish conditions that prevent corrupt conduct and that decrease a corruption level;

State Corporation’s (hereinafter referred to as “the Corporation”) and its organizations’ employees comply with anti-corruption rules of conduct;

Enforcement measures are adopted as required by the laws of the Russian Federation.

 1.2. The Anti-Corruption Policy is issued in pursuance of Federal Law No. 273-FZ as of December 25, 2008 “On Combating Corruption” (hereinafter referred to as “Federal Law No. 273-FZ”), acts of the President of the Russian Federation, Government of the Russian Federation and federal executive authorities which are authorized to furnish consulting and methodological support in the field of combating corruption and other offences, insofar as it relates to the Corporation.

1.3. The Anti-Corruption Policy is a basis for the development of regulatory and methodical documents of any process groups insofar as it ensures the anti-corruption orientation of such documents.

1.4. The Anti-Corruption Policy is used by the Corporation to plan, regulate, organize, follow up on, develop and adopt corrective measures and other controlling actions in all operational processes that contain risks of corruption and other offences. The Anti-Corruption Policy apply to Corporation’s employees irrespective of their positions and functions.

1.5. All Corporation’s members are users of the Anti-Corruption Policy.

1. **Terms and Abbreviations**

2.1. The Anti-Corruption Policy does not introduce any new terms.

2.2. The following abbreviations are used in the Anti-Corruption Policy:

|  |  |
| --- | --- |
| Abbreviation | Explanation |
| Assets | Corporation’s resources, including objects of civil law rights (property assigned by the Founder to the Corporation on the basis of operational management and acquired by the Corporation on other grounds; information, including a secret protected by federal law, etc.) |
| Security | Absence of any unacceptable (material) risk related to the possibility to cause damage – the balance of many factors (including human behavior) that allows mitigating an eliminable risk related to the possibility to cause damage to human health and to the safekeeping of property, to an acceptable (immaterial) level |
| Officials | Persons who fulfill organizational and management, business and administrative functions in the Corporation on a permanent or temporary basis or under a special authority |
| Asset Protection | An activity aimed at combating corruption and other offences  |
| Other Offences  | Actions (omission) and decisions of citizens, organizations and (or) of their officials that impede and (or) endanger the enforcement of rights and legitimate interests of the Corporation with regard to its assets |
| Corruption | Abuse of an official position, active bribery, passive bribery, abuse of powers, commercial bribery or another unlawful use of an official position by an individual that contradicts lawful interests of the society and state, with the aim to obtain a benefit in the form of money, valuables, other property or monetized services, other property rights for himself/herself or third parties, or an unlawful transfer of such a benefit to the specified person by other individuals. Performing the above-mentioned actions on behalf of or in the interest of a legal entity is also a corruption offence (Clause 1 of Article 1 of Federal Law No. 273-FZ) |
| Asset Protection Divisions | Asset protection divisions of managing organizations’ divisions / incubated business / complexes, organizations in the control loops of the Corporation, and asset protection subdivisions of organizations in the control loops of managing organizations’ divisions / incubated business / complexes |
| Corruption Prevention | An Organization’s activity aimed at introducing elements of a corporate culture, organizational structures, rules and procedures regulated by internal regulatory documents that ensure that corruption offences are not committed  |
| Anti-Corruption | An activity of federal state governmental authorities, state governmental authorities of the constituent entities of the Russian Federation, local authorities, civil society institutions, organizations and individuals, within the limits of their powers (Clause 2 of Article 1 of Federal Law No. 273-FZ): а) on the prevention of corruption, including on the identification and subsequent elimination of corruption causes (corruption prevention); b) on the identification, prevention, restraint, detection and investigation of corruption offences (anti-corruption); c) on the mitigation and (or) elimination of consequences of corruption offences |

**3. Main Principles of Anti-Corruption Activity, Approaches to Its Implementation, and Used Tools**

3.1. The anti-corruption activity in the Corporation is based upon the following principles stipulated by Federal Law No. 273-FZ:

1) Ensuring rights and freedoms of a human being and a citizen (Clause 1 of Article 3 of Federal Law No. 273-FZ) – any operational process, including anti-corruption, is regulated and implemented in the Corporation in compliance with rights of its members, and in this case it is not allowed to establish requirements in Corporation’s local regulatory acts to its employees on the necessity to inform the employer or persons authorized by it about circumstances of employees’ relations with law-enforcement authorities and (or) other state governmental and local authorities that exercise state (municipal) control (supervision);

2) Legality (Clause 2 of Article 3 of Federal Law No. 273-FZ) – continuous and strict compliance with legal requirements, including local regulatory acts promulgated on the basis of and in pursuance of relevant legal requirements. This compliance is ensured by the inevitability of official enforcement measures being adopted if an offence is committed;

3) Publicity and openness of the Corporation’s activity –citizens, organizations, mass media, civil society institutions possess access to information on the activities of the Corporation and its Executives with regard to the fields of their competence, with such information being not related to compliance with limitations imposed by the state and (or) business secret protection laws, other information protected by law;

4) Inevitability of liability for committing corruption offences (Clause 4 of Article 3 of Federal Law No. 273-FZ) – a proper punishment shall be awarded and measures aimed at the compensation of losses shall be adopted with regard to every established corruption offence (provided that the guilt is lawfully established);

5) Combined use of organizational, outreach, social and economic, legal and other measures for anti-corruption purposes (Clause 5 of Article 3 of Federal Law No. 273-FZ) – a consecutive coordinated and systematic implementation of interrelated anti-corruption measures in all implemented processes;

6) Top-priority of corruption preventive measures (Clause 6 of Article 3 of Federal Law No. 273-FZ) – if participants of operational processes (sub-processes, procedures) identify signs of corruption and (or) other offences at any stage of their implementation, they inform the Security Adviser whether it is decided to continue implementing the relevant process (sub-process, procedure) or not;

7) Corporation’s cooperation with civil society institutes, international organizations and individuals in the field of anti-corruption –the engagement of representatives of civil society institutes, international organizations and individuals on mutually acceptable conditions into the participation in the anti-corruption work in forms that do not prevent achieving Corporation’s objectives stipulated by the laws of the Russian Federation, as well as in the provision of feedback (information exchange, application handling, participation in polls, etc.) on the efficiency of adopted anti-corruption measures.

3.2. When carrying out the anti-corruption activity the Corporation uses the following methodological approaches:

1) A system and situational approach – anti-corruption is ensured in the course of carrying out all types of financial and economic activity with the participation of the divisions and (or) employees who are empowered to combat corruption and other offences;

2) A role-play approach – every participant, fact, object of organizational, financial and economic and other activity carried out in the Corporation, as well as its counteragents, are considered to be a subject and an object of security, a source and an object of a threat of corruption or other offences at the same time;

3) A risk-oriented approach – the Asset Protection Divisions’ planning and carrying out activities, who are empowered to combat corruption and other offences, based upon an analysis and assessment of identified risks intrinsic to the operational processes implemented in the Corporation, as well as a convergence of anti-corruption efforts at the objects which were earlier influenced by corruption;

3. The Corporation and its organizations use the following standard tools to combat corruption:

1) Modeling of threats, options for their implementation, of vulnerabilities used by threat sources, of possible losses and scales of potential damage;

2) Anti-corruption process management automation;

3) Controlling (planning, accounting, state and (or) vulnerability analysis) of Corporation’s and its organizations’ assets, as well as controlling the susceptibility of employees to corruptogenic factors (influence), the continuous assessment of the acceptability of identified risks, the possibility, directions and scales of their implementation based upon the collection, analysis and generalization of relevant information;

4) Information sharing as an output based upon the results of controlling proposals and draft decisions on performing controlling and (or) corrective actions;

5) Methodology as an organizational, consulting and methodological support of the following (but not limited to) matters:

Compliance of Corporation’s employees with limitations and prohibitions, demands to prevent or settle a conflict of interests, their fulfillment of other obligations stipulated by the laws of the Russian Federation (hereinafter referred to as “the official conduct requirements”);

Consulting assistance in the practical application of the official conduct requirements;

Employees’ education in law;

Performing agency checks;

Verifying the credibility and completeness of information on income and expenditure, property and property-related obligations provided by employees and citizens who claim to fill positions in the Corporation in accordance with the regulatory legal acts of the Russian Federation;

Preparing, including an anti-corruption expert examination, draft local regulatory and regulatory legal acts, including anti-corruption ones;

Cooperation with law-enforcement authorities in the established sphere of activity.

**4. Corporation’s and Its Organizations’ Structural Divisions and** **Officials Responsible for Implementation of Anti-Corruption Policy:**

4.1. The Asset Protection Divisions and (or) Officials are responsible for the implementation of the Anti-Corruption Policy (ensuring that its principles and approaches are followed and its tools are used) in the Corporation and its organizations. The HR Department and the Legal Affairs Department, being coordinated by and with the direct involvement of the Asset Protection Divisions and (or) Officials, are also responsible for that.

**5. Regulatory References**

5.1. Constitution of the Russian Federation.

5.2. Federal Laws:

а) as of December 3, 2012 No. 230-FZ “On Control over Consistency of Expenditures of Government Officials and of Other Individuals to their Incomes;

b) as of December 25, 2008 No. 273-FZ “On Combating Corruption”;

c) as of July 17, 2009 No. 172-FZ “On Anti-Corruption Expert Examination of Regulatory Legal Acts and Draft Regulatory Legal Acts”;

d) Labor Code of the Russian Federation (Federal Law as of  December 30, 2001 No. 197-FZ).

5.3. Edicts of the President of the Russian Federation:

а) as of April 2, 2013 No. 309 “On Measures for Implementation of Certain Provisions of Federal Law “On Combating Corruption”;

b) as of April 2, 2013 No. 310 ““On Measures for Implementation of Certain Provisions of Federal Law “On Control over Consistency of Expenditures of Government Officials and of Other Individuals to their Incomes”;

c) as of July 8, 2013 No. 613 “On Anti-Corruption Issues”;

d) as of April 11, 2014 No. 226 “On National Plan to Combat Corruption for 2014-2015 years and Making Amendments to Certain Edicts of the President of the Russian Federation on Anti-Corruption Issues”.

5.4. Decrees of the Government of the Russian Federation:

а) as of February 26, 2010 No. 96 “ On Anti-Corruption Expert Examination of Regulatory Legal Acts and Draft Regulatory Legal Acts ”;

b) as of August 21, 2012 No. 841 “On Compliance of Employees of State Corporations and State Companies with Provisions of Article 349.1 of the Labor Code of the Russian Federation”;

c) as July 22, 2013 No. 613 “On Provision of Information on Income, Expenses, Property and Property-Related Obligations by Citizens Claiming to Fill Positions in Organizations Established for Accomplishing Objectives Set Before the Government of the Russian Federation and Employees Filling Positions in These Organizations, as well as on Verification of Credibility and Completeness of Provided Information and Compliance of Employees with Requirements to Official Conduct”;

d) as of January 9, 2014 No. 10 “On Procedure for Notification by Certain Categories of Individuals of Receipt of Gift Due to Their Official Position or Performance of Official (Job) Duties, Delivery and Evaluation of Gift, Sale (Repurchase) and Credit of Funds Received after its Sale”.

5.5. Methodological recommendations for organizations on the development and adoption of anti-corruption and corruption preventive measures issued by the Ministry of Labor on November 8, 2013.

**6. Procedure for Making Amendments to Anti-Corruption Policy**

6.1. The Asset Protection Department of the Corporation is responsible for updating the Corporation’s Anti-Corruption Policy.

6.2. When the initiator of the changes is not the Corporation’s Asset Protection Department, the initiator of the amendment submits to the Asset Protection Department of the Corporation a justification of practical appropriateness of the proposed amendments.

6.3. The decision on the appropriateness of introducing amendments to the Anti-Corruption Policy is made by the Director General of the Corporation on the proposal of the Security Deputy Director General of the Corporation.

6.4. The draft of amendments to the Anti-Corruption Policy, after evaluating their appropriateness, goes through the approval process in accordance with the regulatory and methodological documents on the process “Documentation management” of the group of processes “Administrative management”.

**7. Control Over Employees and their Liability for Non-Compliance with Anti-Corruption Policy**

7.1. Corporation’s and its organizations’ employees are liable for non-compliance with local legal acts of the Corporation and its organizations promulgated in accordance with the Anti-Corruption Policy and as provided for by the laws of the Russian Federation.

7.2. Corporation’s and its organizations’ Head Officers are personally liable for non-compliance with the principles of the Anti-Corruption Policy in the Corporation and in its organizations.

7.3. The Asset Protection Department of the Corporation and officials of Corporation’s organizations responsible for the fight against corruption and other offences exercises control over compliance with the requirements of the Anti-Corruption Policy in the Corporation.