

More than Just the FCPA and Bribery Act - The Local Battle against Corruption

Many Foreign Corrupt Practices Act (FPCA) and UK Bribery Act practitioners are well aware of the oratory of the US and UK governments on the evils of bribery and corruption. However, such a fight is not just being made by the US Department of Justice and the UK Serious Fraud Office, there are local entities which engage in this battle in countries all over world.

We recently came across a most interesting website, *ipaidabribe.com*, set up by a non-profit entity, Janaagraha in Bangalore, India. This organization works with citizens and the government to change the quality of life in India's cities and towns. The website itself is Janaagraha's initiative to tackle corruption by harnessing the collective energy of citizens. The site encourages people and organizations to report on the nature, number, pattern, types, location, frequency and values of corrupt acts. These reports are designed to provide a snapshot of bribes occurring across India. Janaagraha's stated purpose is to use this information to argue for improving governance systems and procedures, tightening law enforcement and regulation, and thereby reduce the scope for corruption in obtaining services from the government.

One of the items on the site which caught our attention was a worksheet, available for download at no charge, which provides the website 10 Commandments of How to Say No to Corruption. While some of the suggestions are specific to India and Indian culture, we viewed several of them to be excellent training tools for how to say No to a bribe. These include:

1. Be Confident - Act firmly and assertively that you do not have to pay a bribe.
2. Do your Homework - Understand what your rights are and the obligations of the service provider.
3. Do it Yourself - If you can avoid a middleman, do so.
4. Get Receipts - Insist on receipts for all payments made.
5. Seek Reasons - If you have a written form rejected, demand the basis for the rejection in writing.
6. Just Say No - Firmly and openly say that you will not pay a bribe.
7. File Complaints - Report any demands for a bribe to senior officials and to site like *ipaidabribe.com*
8. Record the Evidence - To the extent possible, record any evidence of a demand for a bribe. However, if you cannot do, takes notes of the event as soon as you can do so thereafter.

The website also has a wealth of other materials which would be of use to any company, foreign to India, which seeks to do business in India. For instance, there is, available for download - once again at no charge, a comprehensive report of the motor vehicle licensing procedures for Bangalore and where corruption may come into play. There is also access to reports of bribes demanded throughout the country which can be a useful resource. On the whole we find this grass roots effort to identify, report on and assist

others in combating corruption as highly laudable. Any company doing business in India could benefit from using the resources provided by this website.

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