

**Policy:** This Code of Business Ethics and Conduct sets forth the standards for ethical behavior, legal compliance, and business and professional conduct for The Asia Foundation's employees, Trustees, consultants and sub-recipients. Every employee has the right to work in a safe and ethical environment. With this right comes the responsibility to act in accordance with the Foundation's core values and this Code. Adherence to these values and principles is critical to The Asia Foundation's success.

## **Introduction**

The Asia Foundation is committed to transparency, honesty, and integrity in all of its work and efforts in support of its mission and on behalf of its donors and supporters worldwide. The Asia Foundation is committed to complying with all laws and regulations applicable in the United States and in the countries in which it operates; and to promoting ethical behavior in its work and in that of its partners and sub-recipients. The Asia Foundation employees are expected at all times to act in good faith, with honesty and integrity, and in furtherance of the organization's mission, goals, and purposes. These commitments are made to strengthen The Asia Foundation as a mission-driven organization and to preserve its ability to deliver high-quality programs conducted according to the highest ethical standards.

## **Compliance**

Trustees, employees, consultants, and sub-recipients have a responsibility to understand and comply with this Code of Business Ethics and Conduct, and employees must certify in writing annually that they have received, read, understand, and will comply with this Code.

In addition, as recommended or required by government regulators, funders or other authorities, The Asia Foundation may provide this Code to certain outside parties and require a written commitment to comply, as appropriate. These parties could include consultants, partners, sub-recipients, vendors, and other external parties as determined from time to time by The Asia Foundation.

A violation of the Code may result in disciplinary action up to, and including, termination. Employee questions about compliance with this Code should be referred to their supervisor, field office Human Resources officer, the Executive Vice President, or the Chief Human Resources Officer.

## **General Principles**

- The Board of Trustees, employees, consultants, and sub-recipients are expected to act with honesty and integrity in fulfilling all duties and responsibilities, including engagement with The Asia Foundation's donors, fellow board members, fellow employees, program partners, the public, the business community, clients, suppliers, other organizations, and government authorities. No individual or entity acting on behalf of the Foundation may take unfair advantage through manipulation, concealment, abuse of privileged information, misrepresentation of material facts, or other unfair business practices.
- Trustees, employees, consultants, and sub-recipients are expected to comply with all laws, regulations, and other official directives governing employees and The Asia Foundation activities in the U.S. and all countries in which The Asia Foundation operates. It is important to avoid any actions that might create the appearance of a violation of laws, standards of ethics, or conduct covered by this Code. Employees who have questions, are aware of illegal acts, or encounter a conflict between the laws of the U.S. and another country that relate to the Foundation should consult with their supervisor, the Country Representative, the Executive Vice President, the Director of Internal Audit, the Chief Human Resources Officer, or the Chief Financial Officer. Please refer to the Whistleblower policy for additional guidance.
- Trustees and employees refrain from making decisions involving employment, purchasing, or any other business of The Asia Foundation that may present, or appear to present a conflict of interest. In addition, The Asia Foundation attempts to prevent and detect conflicts of interest involving its partners, consultants, sub-recipients, and vendors. All employees and Trustees have a duty of loyalty to The Asia Foundation and must, at all times, place loyalty to the organization and its mission above personal gain. Trustees and employees should avoid any action or omission that might harm The Asia Foundation's reputation.

- Trustees, employees, consultants, and sub-recipients are expected to conduct themselves in a professional, respectful and culturally appropriate manner at all times and in all situations in which they are representing The Asia Foundation in any way.
- The Asia Foundation employees and board members treat others with respect and dignity, consistent with The Asia Foundation policies on nondiscrimination and sexual harassment. The Asia Foundation policy prohibits unlawful discrimination against employees, Trustees, consultants, sub-recipients and other external parties on account of race, color, age, gender, sexual orientation, religion, or national origin.
- Trustees and employees do not use The Asia Foundation property or resources for personal gain.
- Trustees and employees may not accept any “kickbacks,” bribes, gifts, preferential treatment, or any remuneration or item of value, from any person, in exchange for favorable treatment / endorsement in the awarding of any form of support, assistance, or contract, (for goods or services of any kind, in the execution of an existing agreement / contract, or the awarding of a future contract.)
- The Asia Foundation’s employees, board members, or authorized representatives may not offer bribes, “kickbacks,” or gifts to anyone, particularly to government authorities, in order to gain preferential treatment in any form, (support, assistance, contract, or business.)
- Trustees, employees, and other parties privy to this Code should report any known or suspected illegal, unethical, or wasteful activity and violations of this Code which they become aware of, in accordance with The Asia Foundation’s Whistleblower Policy. Should you witness or receive a report of such wrong-doing, you are required to follow established procedures and protocols to determine whether a situation or condition requires investigation and, ultimately, a formal report to the donor. In the case of U.S. government funding, reporting to law enforcement officials and / or the affected government agency may be required.