

**KINGDOM OF CAMBODIA
NATION RELIGION KING**

MEMORANDUM OF UNDERSTANDING ON COOPERATION

Between

The Anti-Corruption Unit of the Kingdom of Cambodia

And

Japanese Business Association of Cambodia (JBAC)

The Anti-Corruption Unit of the Kingdom of Cambodia “**ACU**” and Japanese Business Association of Cambodia in Cambodia “**JBAC**” hereinafter referred to as the “**Parties**”;

Pursuant to the Anti-Corruption Law, promulgated by Royal Kram No. NS/RKM/0410/004 dated 17 April 2010 ;

Pursuant to the law on the amendment of the law of Anti-Corruption, promulgated by Royal Kram No. NS/RKM/0811/017 dated 01 August 2011 ;

Pursuant to the Sub-Decree No. 05 ANK.BK dated 10 January 2011 on the Organization and Functioning of the Anti-Corruption Unit;

Pursuant to other relevant laws, regulations and policies of the Kingdom of Cambodia;

In an effort to indicate their mutual supports in respect of the noble efforts of the Royal Government of Cambodia in fighting against corruption and the development of the Kingdom of Cambodia, and in compliance with the applicable laws of the Kingdom of Cambodia, the Parties have made this Memorandum of Understanding in Phnom Penh, the Kingdom of Cambodia;

Recognizing the importance in developing and strengthening of the collaborative efforts in preventing and combating corruption through effective cooperation between the Parties;

Stressing that the establishment of the cooperation between the Parties would further strengthen the existing friendly relations and cooperation;

Noticing the good characteristics of JBAC on integrity, the ACU decides to sign the Memorandum of Understanding with JBAC in order to set an example for private sector in joining the combat against corruption;

Have agreed as follows:

JBAC Commitments:

- JBAC, in its ongoing commitments to be a clean entity and to build a transparency culture, will continue to fully comply with all applicable laws and regulations relating to anti-corruption, including the Anti-Corruption Law and the Criminal Code.
- JBAC will continue not to participate in any acts of corruption or bribery. In this regard, JBAC will continue to educate all of its employees to promote a clean environment in dealing with government officials, suppliers, customers, and other organizations or individuals. JBAC has a strict ban in its present policies against any employee committing any acts of corruption or bribery or any other acts or omissions that are prohibited and penalized under the Anti-Corruption Law or the Criminal Code, or otherwise contrary to the highest professional standards established by JBAC during the performance of duties for JBAC.



- JBAC, where it deems appropriate and after considering all legislations, rules and policies applicable to it, may take a proactive approach in keeping the ACU informed of any solicitations received by JBAC for improper payments from government officials, suppliers, customers, and other independent organizations or individuals, which involve with corruption or bribery or any other transparency issues which it may become aware of during the course of its operation.
- JBAC will appoint one or more contact persons from among its employees to liaise with ACU-appointed contact persons. A proper letter of appointment or replacement of JBAC's contact persons will be submitted to the ACU in advance.

ACU Commitments:

- Consistent with the Anti-Corruption Law, the ACU will accept any evidence submitted by JBAC, the members of JBAC and their employees and will commence an investigation.
- The ACU will keep absolute confidentiality of corruption-related information sources and take all necessary measures to keep the corruption whistle blowers secured.
- The ACU will make its best efforts to cooperate with JBAC, the members of JBAC and to fulfill any reasonable requests from JBAC, the members of JBAC to contribute to the prevention and combat of corruption in Cambodia.
- The ACU will appoint one or more contact persons from among its officials to discuss with JBAC any requests it may receive for potential improper payments and liaise with JBAC-appointed contact persons. The ACU will notify JBAC of any such appointment or any replacement in advance.

IN WITNESS WHEREOF, the undersigned, the authorized representatives of the respective Parties, have signed this Memorandum of Understanding.

Signed in Phnom Penh on the 26 of March in the year 2020 in English and Khmer languages in two duplicates for each language, with equal legal effect.

This Memorandum of Understanding shall come into effect from the date written above.

On behalf of Anti-Corruption Unit



**Dr. Om Yentieng
Senior Minister
President of Anti-Corruption Unit**

On behalf of Japanese Business Association of Cambodia (JBAC)



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**Mr. KANDA Yogo
Chairman of Investment Committee of JBAC**