

COMPETITION COMPLIANCE POLICY

IDH has as its objective the promotion and enhancement of sustainable trade. These objectives are achieved by providing a platform where NGO's, governments, companies and trade unions can meet and by setting up programs to promote and support sustainable trade.

This Competition Compliance Policy governs the conduct of the Participants to IDH Programs. IDH expects all Participants to comply with the Policy and not to prejudice any of the aims or activities of IDH by any departure from it. IDH and all Participants to IDH Programs are committed to full and fair competition, and IDH's Programs and activities shall not be used in any way inconsistent with relevant competition laws. In order to promote the compliance with these laws, IDH had adopted this Competition Compliance Policy in which the basic rules for competition compliance are set out. Because of the importance of preventing competition law violations, both in the interest of IDH, all Participants and in the general interest, IDH considers acceptance of and compliance with this Policy a condition for participation to IDH's Programs. Participants who fail to comply with this Policy may be excluded.

Because Participants to IDH's Programs may be active in several jurisdictions all over the world, this Policy is based on the strictest standards. Participants, however, remain responsible for conferring with their own respective legal counsel for specific competition law advice, especially country or jurisdiction-specific advice.

1. General

Meetings of competitors under the guidance of IDH are not prevented by competition law. However, Participants must not use the forum provided by IDH in order to coordinate their commercial activities. Each IDH member must exercise its independent business judgement in pricing its products and services, dealing with its customers and suppliers, and choosing markets in which it will compete. Any activity that could create even the appearance of a restriction or distortion of competition must be strictly avoided.

2. No anticompetitive Agreements or Understandings

Neither IDH nor any Program, conference or activity of IDH shall be used for the purpose of bringing about or attempting to bring about any agreement, understanding or concerted practice, written or oral, formal or informal, express or implied, among competitors regarding:

- prices, premiums, discounts, or other financial terms or conditions;
- market shares and sales territories;
- output and sales;
- commercial details concerning individual customers or suppliers;
- cost and demand structure;
- investment and marketing plans;
- bidding or refraining from bidding;
- credit conditions or any other terms or conditions of sale;
- exclusionary practises.

IDH shall not induce or tolerate any discussions or any exchange of commercial information for the purpose or with the probable effect of:

competition compliance policy and meeting guidelines for IDH programs

- increasing, maintaining or stabilizing prices and other commercial terms or conditions offered to customers;
- reducing competition with respect to the range, quality or specifications of services offered to customers;
- promoting agreement among competitors with respect to their commercial purchases, including the selection of products or services for purchase, the choice of supplier and the prices they will pay for products or services.

3. No discussions on Competition Sensitive Issues

No IDH conference or activity shall include discussions or dissemination of information among competitors regarding competition sensitive issues. In no case shall Participants discuss or disclose information to each other on their individual prices, rates, discount, or other financial and commercial terms and conditions, for any current or prospective products. Neither shall competition sensitive issues be discussed, including Participants' financial performance, individual information on any Participants' costs, product specifications, anticipated products or individual customer information.

This prohibition does not cover such information that at the time of discussion has been made publicly available in a legitimate manner, historic information that is at least over one year old, information aggregated by an independent third party or IDH in a way that does not provide Participants the possibility to identify what part of the information applies to an individual company.

4. Publications and Reports

Papers published by IDH or presented in connection with IDH Programs should not discuss or refer to prices, premiums, or any financial terms and conditions of Participants.

5. Participation in IDH's Programs

IDH will not arbitrarily or unreasonably exclude companies or entities from participation to IDH Programs, nor from being present at IDH conferences.

6. Standardization or quality seals

IDH may promote the adoption of common standards or quality seals, unless the adoption of such has the purpose of restricting competition. If the adoption of a common standard or a quality seal has the effect of restricting competition, such an agreement needs to be scrutinized by legal counsel in order to ensure that the standardization agreement or the adoption of the quality seal is in conformity with competition law. All companies must be able to qualify for such a standard or quality seal.

7. Meetings

If an IDH meeting involves practices contrary to this Policy, IDH will terminate the meeting or discussion immediately. A Participant should invite IDH to terminate the meeting if the Participant feels that the Policy has been or is in danger of being breached.