

**DOCUMENT ADMINISTRATION**

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	Reviewed by: Senior Leadership Team (SLT)	Q2
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## 1. Purpose

- 1.1 In developing this Restrictive Measures Compliance Policy (hereinafter referred to as the '**Policy**'), Gavi reaffirms its commitment to the mission of helping to save lives and improving people's health. Our dedication extends to careful compliance with applicable laws and regulations, donor commitments and ensuring that every action also aligns with the ethical principles that guide our endeavors.
- 1.2 Gavi approaches compliance with the seriousness it deserves, understanding that while restrictive measures are not intended to obstruct the provision of vaccines, promoting health and other types of assistance, they do apply and necessitate thorough due diligence. In navigating this regulatory landscape, we are conscious of the extensive array of exceptions and licenses related to the restrictive measures in place and available to balance the need to ensure delivery of life-saving vaccines and related activities.
- 1.3 This Policy provides guidance to enhance understanding and raise awareness among all Gavi Staff, regarding their restrictive measures compliance responsibilities and how to address the potential compliance risks they may encounter.

## 2. Principles

- 2.1 **Commitment to operate ethically:** Gavi is committed to upholding the highest standards of ethical conduct, legal compliance, and social responsibility in its global operations. As such, compliance with relevant restrictive measures is key to our mission and values.
- 2.2 **Focus on Gavi's mission:** Gavi's overarching focus will always be on providing health support to those in need as defined in its mission and strategy. Compliance to restrictive measures is an essential tool to ensure that the funds and activities conducted for global health purposes and broader strengthening of health systems are not being diverted. Where there is potential disruption to fulfilling Gavi's mission, we will seek necessary exceptions and authorisations to ensure the provision of essential vaccines and related support to countries without compromising these principles.
- 2.3 **Risk based and principle-based approach:** Gavi's approach to compliance with restrictive measures is founded on a risk-based methodology, ensuring that our compliance measures are proportionate, effective, and tailored to address potential risks. In recognition of Gavi's mission, we commit to avoiding unnecessary or excessive restrictions that may impede the timely provision of vaccines and health system infrastructure.
- 2.4 **Consistency and transparency:** Gavi's approach to restrictive measures compliance is based on consistent application of measures across all activities and maintaining transparency in dealings with third parties.

## 3. Definitions

- 3.1 **Restrictive measures:** a set of requirements arising from nationally-set, international or UN-applied decisions (i.e., sanctions) that could restrict the provision of funds and resources to designated entities or persons, as well as the broader restrictions on specific business activities within particular economic sectors/territories.

- 3.2 **Designated persons:** natural and legal persons, entities and bodies designated under one or more restrictive measures regime.
- 3.3 **Humanitarian exceptions:** licenses, exemptions, and derogations granted by authorities to authorise specific transactions for humanitarian purposes. These exceptions often come with accompanying conditions.
- 3.4 **Gavi Staff:** Gavi employees, including consultants and the partners of the Alliance will be expected to respect this policy which will be referenced in our contracts with them.
- 3.5 **Responsible teams:** Departments within the Gavi Secretariat with identified roles in respect to compliance with this policy. Specifically, these include Governance, Resource Mobilisation, Private Sector Partnerships and Innovative Finance, Country Programmes Delivery, Procurement, Legal, and Finance.
- 3.6 **Internal compliance programme:** a structured and documented system within Gavi designed to manage adherence to donor agreements and other regulatory undertakings as well as specific laws and regulations related to restrictive measures, thereby minimising the risk of non-compliance.

#### 4. Oversight and accountability

- 4.1 Oversight for the implementation and effectiveness of this Policy lies with the Gavi Board.
- 4.2 The Chief Ethics, Risk and Compliance Officer (“**CERCO**”), and the Senior Leadership Team (“**SLT**”) are accountable for the implementation and integration of this Policy.
- 4.3. Operational responsibilities are defined in the standard operating procedures and shared among the members of the Responsible teams overseen by the CERCO.

#### 5. Roles and responsibilities

- 5.1 All Gavi staff are expected to conduct themselves in compliance with this policy. In doing so, they will be guided to balance the global health imperative of Gavi and the need to respect the applicable restrictive measures and take decisions accordingly. Moreover, Gavi recognizes the importance of a compliance culture and seeks to empower all our Staff. We encourage active participation and responsibility, valuing everyone’s ability to pause when faced with a questionable transaction.
- 5.2 The SLT, including the CERCO, work together to communicate what is expected from staff to demonstrate compliance through restrictive measures standard operating procedures. They support individual and team accountability, anticipate risks, and address behaviour that does not meet Gavi’s expectation from this policy.
- 5.3 The Gavi SLT oversees compliance with restrictive measures and ensures the allocation of necessary resources for the successful implementation as part of the internal compliance programme.
- 5.4 CERCO is responsible for the day-to-day implementation, leadership, and maintenance of the internal compliance programme. Other responsibilities of CERCO include:

- 5.4.1 Driving and leading discussions on the restrictive measures compliance within Gavi.
  - 5.4.2 Fostering a cross-organisation culture of compliance, ensuring that appropriate learning opportunities are provided to all relevant stakeholders and creating awareness on regulatory updates regarding restrictive measures requirements Gavi needs to be compliant with.
  - 5.4.3 Ensuring that responsible teams are assessing risks, translating them into mitigation actions, and developing the appropriate strategies for compliance.
  - 5.4.4 Communicating with the Gavi Board and its committees on matters related to compliance with restrictive measures when required.
  - 5.4.5 Leading communication with competent authorities on matters related to restrictive measures.
- 5.5 The Responsible Teams are responsible for:
- 5.5.1 Leading discussions with third parties Gavi works with to communicate our expectations in respect of restrictive measures and ensure the relevant undertakings are embedded within applicable contracts.
  - 5.5.2 Conducting operational tasks such as third-party screening, enhanced due diligence, country risk assessments, and preparing authorisation applications as needed.
  - 5.5.3 Communicating to CERCO in a timely fashion, where remaining compliance risks exist providing all information required to define further mitigating measures.
- 5.6 Gavi's compliance efforts are leveraged by the support of the Alliance partners through transparency and mutual accountability for compliance with restrictive measures. Gavi's partners are responsible for ensuring compliance within all Gavi-funded programmes they are legally contracted to manage and for reporting red flags encountered during the implementation of these programmes in a timely manner whether in relation to subcontractors or other involved parties.

## **6. Due diligence and ongoing monitoring**

- 6.1 Due diligence is a continuous process at Gavi, encompassing various procedures, verifications, and checks before, during, and after engagements. This ensures strict compliance with restrictive measures and prevents any breaches.
- 6.2 Operating in challenging geographies, Gavi carefully analyses applicable restrictive measures, including available humanitarian exceptions, to ensure that funding is provided, and activities undertaken in compliance with relevant regulations. Both individual sanctions against designated persons and sectoral restrictions on certain activities and products are considered.
- 6.3 Before entering engagements with any third party, a comprehensive risk based due diligence is performed by the responsible teams. The measures taken are based on Gavi's

due diligence framework and include screening against lists of designated persons, adverse media investigations and beneficial ownership investigations. Due diligence is aimed at identifying and evaluating potential risks associated with parties involved. Understanding these risks allows for informed decisions on an engagement, including the potential need to request authorisations from the relevant authorities.

- 6.4 Throughout the duration of any contract or partnership, Gavi undertakes routine screenings of all entities involved and known against relevant lists, leveraging on automated tools. The purpose of this screening is to ensure that no funds or economic resources are provided to a designated entity directly and indirectly. Through the screening activity any potential true hits are reviewed by the responsible teams, and relevant information is provided to CERCO and respective SLT members for decision making.

## **7. Recordkeeping**

- 7.1 Due diligence process adherence, with supporting evidence and records of transactions are carefully documented.
- 7.2 Records are systematically retained in accordance with Gavi's data retention policy to ensure compliance with regulatory requirements and to serve as a comprehensive reference in Gavi's restrictive measures compliance efforts.

## **8. Audit**

- 8.1 Programme Audit within Audit and Investigation conducts audits of programmes in-country to assess whether Gavi support, including cash, vaccines, and related supplies, has been used as intended. The audit takes into account programmatic aspects and makes an evidence-based examination of possible misuse and other misconduct in Gavi-supported programmes in-country.

## **9. Awareness culture**

- 9.1 To foster a culture of compliance with restrictive measures, all Gavi Staff are provided with adequate training and actively participate in discussions regarding applicable legal requirements and ethical principles.

## **10. Effective date and review of policy**

- 10.1 This policy comes into effect as of 1 December 2024.
- 10.2 This policy will be complemented by standard operating procedures to ensure effective implementation.
- 10.3 This policy will be reviewed and updated when required per request by the Gavi Chief of Ethics, Risk and Compliance and the Gavi Board. This policy is subject to Gavi Board approval.