



CREDIT GUARANTEE FUND AFGHANISTAN

### **Declaration of Undertaking - Companies**

For the attention of

**ACGF – Afghan Credit Guarantee Foundation**

Neusser Str. 182  
50733 Cologne, Germany

**Subject: Declaration of Undertaking**

1. We hereby declare that neither we nor any of our legal representatives nor any of our subcontractors:
  - Are bankrupt, insolvent, in winding up processes or subject to a comparable situation.
  - Have provenly<sup>1</sup> been involved in criminal organisations, money laundering, terrorist-related offences, child labour or trafficking in human beings.
  - Have provenly<sup>2</sup> undertaken Sanctionable Practise<sup>3</sup> during any tender process or performance of contract.
  - Have been in a situation where our considerable or continuous disregard of contractual obligations during the performance of a contract has caused a contract termination that has been fully settled against us.
  - Have existing tax claims overdue in the country of company seat, Germany, or Afghanistan.
  - Are guilty of misrepresenting or failing to supply information required by ACGF for the fulfilment of criteria to participate in the tender process.
  - Are listed on any multilateral development bank's table with debarred and cross-debarred firms and individuals.<sup>4</sup>
2. We hereby declare that neither we nor any of our legal representatives nor any of our subcontractors are subject to a situation that may lead to actual, potential or perceived conflict of interest.  
More specifically, we hereby confirm that we are in none of the following situations:
  - In a personal relationship with ACGF staff.
  - In direct or indirect contact with ACGF that allows us to have or get access to information concerning the applications/offers of other applicants.
  - We were directly involved in writing the Terms of References or other relevant procurement documents.<sup>5</sup>

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<sup>1</sup> As per the decision of the United Nations, the European Union, the World Bank, or the German Government.

<sup>2</sup> As per any final decision by a court, the European Union, the World Bank, or the German Government.

<sup>3</sup> "Sanctionable Practice" means any corrupt practice, fraudulent practice, coercive practice, collusive practice, or obstructive practice.

<sup>4</sup> In such a case, Applicants/Suppliers may provide reasonable prove that this listing is not of relevance for the planned contract.

<sup>5</sup> This does not apply to Suppliers who have conducted preparatory studies for the project or who were involved in a preceding project phase, as long as the prior project outcomes were made available to all Applicants/Bidders. In addition, Suppliers selected through a competitive bidding process may suggest amendments to the TOR before the start of the assignment



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- 3. We hereby declare that we will comply with international Environmental, Social (including issues of sexual exploitation and abuse and gender-based violence), Health and Safety (ESHS) standards, the fundamental conventions of the International Labour Organization (ILO) and international environmental treaties that are applicable in the country of implementation of the respective contract.
- 4. We hereby declare that neither we nor any of our legal representatives nor any of our subcontractors will acquire any equipment from nor operate in any sectors that within the country are under an international embargo or sanction by the United Nations, the European Union, the World Bank, or the German Government.

We shall inform our employees and subcontractors of their respective duties and their commitment to observe these obligations.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title:

Date: xx.xx.20xx

**Declaration of Undertaking - Individuals**

For the attention of

**ACGF – Afghan Credit Guarantee Foundation**

Neusser Str. 182  
50733 Cologne, Germany

**Subject: Declaration of Undertaking**

5. I hereby declare:

- I'm not bankrupt, insolvent, in winding up processes or subject to a comparable situation.
- I haven't provenly<sup>6</sup> been involved in criminal organisations, money laundering, terrorist-related offences, child labour or trafficking in human trafficking.
- I haven't provenly<sup>7</sup> undertaken Sanctionable Practise<sup>8</sup> during any tender process or performance of the contract.
- I haven't been in a situation where my considerable or continuous disregard of contractual obligations during the performance of a contract has caused a contract termination that has been fully settled against me.
- I have no existing tax claims overdue in Germany, or Afghanistan.
- I'm not guilty of misrepresenting or failing to supply information required by ACGF for the fulfilment of criteria to participate in the tender process.
- I'm not listed on any multilateral development bank's table with debarred and cross-debarred firms and individuals.<sup>9</sup>

6. I hereby declare that I am not subject to a situation that may lead to actual, potential or perceived conflict of interest.

More specifically, I hereby confirm that I am in none of the following situations:

- In a personal relationship with ACGF staff.
- In direct or indirect contact with ACGF that allows me to have or get access to information concerning the applications/offers of other applicants.
- directly involved in writing the Terms of References or other relevant procurement documents.<sup>10</sup>

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<sup>6</sup> As per the decision of the United Nations, the European Union, the World Bank, or the German Government.

<sup>7</sup> As per any final decision by a court, the European Union, the World Bank, or the German Government.

<sup>8</sup> "Sanctionable Practice" means any corrupt practice, fraudulent practice, coercive practice, collusive practice, or obstructive practice.

<sup>9</sup> In such a case, Applicants/Suppliers may provide reasonable prove that this listing is not of relevance for the planned contract.

<sup>10</sup> This does not apply to Suppliers who have conducted preparatory studies for the project or who were involved in a preceding project phase, as long as the prior project outcomes were made available to all Applicants/Bidders. In addition, Suppliers selected through a competitive bidding process may suggest amendments to the TOR before the start of the assignment



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- 7. I hereby declare that I will comply with international Environmental, Social (including issues of sexual exploitation and abuse and gender-based violence), Health and Safety (ESHS) standards, the fundamental conventions of the International Labour Organization (ILO) and international environmental treaties that are applicable in the country of implementation of the respective contract.
- 8. I hereby declare that I will not acquire any equipment from nor operate in any sectors that within the country are under an international embargo or sanction by the United Nations, the European Union, the World Bank, or the German Government.

Signature: \_\_\_\_\_

Name: \_\_\_\_\_

Title:

Date: 02.08.2022