

Best Practices for Localizing Corporate Ethics and Compliance Policies

In the fall of 2011, Tom Fox was kind enough to invite me to post a guest blog, [“Don’t Get Lost in \[FCPA\] Translation”](#). In that piece, I presented how language solution decisions come into play at the onset of an active internal corruption or cross-border investigation.

Today, I will look at the recommended translation and localization policy decisions that should be put in place as part of a robust ethics and compliance program, well in advance of an emergency “boots on the ground” situation.

Depending on the type of organization (manufacturing, sales, distribution, or a combination of all three) and the number of countries (and various languages) where your company conducts global business, the Company will most likely need to translate or localize some if not all of the following documents:

- Code of Conduct
- Anti-Bribery Policy
- Anti-Corruption Policy
- Third Party Due Diligence Questionnaire
- Contracts
- Employment Agreements
- Leases

Ethics and legal compliance documents usually fall under the scope of corporate legal or compliance, HR, internal audit or training (eLearning) stakeholders. In some corporations, the documents may also belong to an import/export or ITAR group. Source material will most often be in English and require translation into a number of languages. These services may be sourced directly by the Company or through outside counsel.

Due to the high stakes involved in mitigating FCPA investigations, it is recommended that the translation of these materials be done through a qualified Language Solutions Provider (LSP) capable of issuing a Certificate of Accuracy (COA) to confirm that the documents have been faithfully translated to impart the precise meaning of the English-based ethics and compliance policies.

Often, local stakeholders may suggest engaging “in-country” resources to translate these materials. These resources are often bi-lingual employees whose primary role is something other than translation. While certain internal communications may be best handled by “in-country” resources, the timely translation of ethics and compliance documents is usually best accomplished when outsourced to a trusted LSP who is accountable for meeting quality standards and delivery deadlines. “In-country” resources can be a valuable partner in reviewing translated content to ensure it meets local standards and such partnerships between outside LSP and internal resources is highly recommended.

Once the documents have been translated, the LSP should maintain a Translation Memory (“TM”) that can be leveraged to minimize the costs of future code and policy updates as well as repurposing ethics and compliance material for eLearning, HR, internal audit, and training.

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Finally, engage an LSP with specific subject matter expertise in FCPA and UKBA ethics and compliance translation and localization.

By seeking out a professional and reputable legal translation solutions provider, the Company will be taking an important first step in guaranteeing the quality of its ethics and compliance translations and establishing the cornerstone of a global corporate compliance and ethics translation program.

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