



Case study: An Ethical Minefield

A geophysical survey company won a contract to perform field surveys of potentially developable mineral deposits in a Southeast Asian country. Terms of the agreement included a requirement to complete the work in just a few weeks' time, ahead of the impending typhoon season. The company dispatched an experienced professional surveyor – who is also a certified GISP – to organize a survey and mapping crew and lead a field reconnaissance mission in a province where remotely-sensed imagery indicated that such deposits may be present.

When the crew chief applied to local officials for permission to conduct the field work, he was informed that the study region was blighted by minefields and other unexploded ordnance left over from a decades-past war. General locations of hazardous areas were known to local members of the field crew, and the municipal government was known to have mapped the sites in detail. However, the government maps and digital data were not open to the public, let alone to foreign guests.

With an increasing sense of urgency as days passed, the crew chief finally was allowed to meet with the provincial official in charge of mapping and land administration. Through an interpreter, the administrator confirmed that the minefields were indeed mapped, and that he could allow the company to use the data for its reconnaissance. However, he went on to explain that a fee of several hundred American dollars would have to be paid. Though it was not stated as such, the crew chief understood that the fee was a bribe that the official intended to pocket the money himself.

The crew chief was aware that an Anti-Corruption Law was in force in the country, and that its Penal Code prohibited local officials from shaking down foreigners as well as citizens. He also aware of the U.S. Foreign Corrupt Practices Act, as well as the fact that his company's Code of Business Conduct stated unambiguously that such laws were to be observed, and that employees should not resort to bribery.

Back at his hotel, the crew chief phoned his supervisor to explain the situation and ask for advice. The supervisor, who happened to be a co-owner of the privately held firm, advised that because the contract was so important to the company, and because time was of the essence, the crew chief should set aside normal protocol and pay the bribe.

What are the Crew Chief's options at this point, and which is the best option under the circumstances? Is there a way to acquire the data and conduct the survey safely and on schedule, without causing the official to break the law and the crew chief to violate codes of conduct?

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