

## ETHICAL ASPECT OF COMPETITIVE INVESTIGATION

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One of the main factors in increasing competitiveness in the modern world is speed. The faster a company brings a product to market or enters new markets itself, the more likely it is that it will continue to exist. To do this, it is often necessary to have not only unique competitive advantages, but also information about competitors. Obtaining these data is usually carried out by competitive intelligence methods.

Competitive intelligence (CI) is the determination of the intentions of competitors, the study of the main business trends, the analysis of possible risks, etc. [1].

However, there is a difference between competitive intelligence and industrial espionage. CI is carried out within the framework of existing legal norms, and gets its results due to the analytical processing of a huge number of various open information materials. In industrial espionage, it is considered acceptable to use methods that involve a direct violation of the law: blackmail, bribery, theft, violence, physical elimination, and so on [2].

Compliance with ethical standards is also an important aspect of conducting competitive intelligence. However, the line between ethical and unethical practices remains blurred.

On the one hand, generally accepted standards of business conduct vary by country and even by industry. What is unacceptable in one country or professional group may be the norm in another. For example, in some countries it is completely legal to discriminate in employment based on gender. In other countries, civil servants expect to be rewarded for submitting official documents [1].

According to the survey by competitive intelligence holding Fuld & Co, business leaders in various industries understand the criteria of normality, aggressiveness and ethics differently. Thus, the least likely methods of economic espionage were assessed as unethical and illegal by representatives of high-tech industries and leaders of the financial sector. This suggests them to be more inclined to use any methods to achieve the goal [3].

On the other hand, it is difficult to determine whether an action violates moral norms or not. Although many companies declare rules of ethical behavior for their employees, in reality, in the daily race for profit, ethical rules may not be followed. Speaking about the need to comply with moral standards, many managers are also under enormous pressure of circumstances.

In the professional environment of business intelligence, there are some rules that specialists should adhere to.

So, Dan Hymelfarb, senior vice president of nxtMove, speaks about two basic principles: do not deceive by introducing yourself to the interlocutor (do not impersonate another) and not seek access to protected information, corporate or confidential, at any cost [4].

In the specialized literature, one can often find a reference to the Code of Ethics of the American Society of Competitive Intelligence Professionals which prescribes the following:

- to continually strive to increase respect and recognition for the profession;
- to pursue one's duties with zeal and diligence while maintaining the highest degree of professionalism and avoiding all unethical practices;
- to faithfully adhere to and abide by one's company's policies, objectives and guidelines;
- to comply with all applicable laws;
- to accurately disclose all relevant information, including one's identity and organization, prior to all interviews;
- to respect fully all requests for confidentiality of information;
- to promote and encourage full compliance with these ethical standards within one's company, with third party contractors, and within the entire profession [5].

Also, private services and independent competitive intelligence consultants can announce which activities are allowed and which are prohibited and condemned. For example, Fuld & Company, a leading American business intelligence company, has published its own ethical code of conduct called The Ten Commandments of Legal and Ethical Intelligence Gathering: 1. Thou shalt not lie when representing thyself. 2. Thou shalt observe thy company's legal guidelines as set forth by the legal department. 3. Thou shalt not tape-record a conversation. 4. Thou shalt not bribe. 5. Thou shalt not plant eavesdropping devices. 6. Thou shalt not deliberately mislead anyone in an interview. 7. Thou shalt neither obtain from nor give price information to thy competitor. 8. Thou shalt not swap misinformation. 9. Thou shalt not steal a trade secret (or steal employees away in hopes of learning a trade secret). 10. Thou shalt not knowingly press someone for information if it may jeopardize that person's job or

reputation [6].

In any case, for the proper organization of activities, any company needs its own set of ethical rules, and decision-making and the choice of methods depend on the employee himself, his upbringing and general ideas about morality.

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