

OECD Working Group on Bribery

# Public Summary Record

Plenary Meeting  
October 2019



Made up of representatives from the Parties to the Anti-Bribery Convention, the OECD Working Group on Bribery meets four times per year at the OECD headquarters in Paris, France.

### Joint session between the G20 Anti-Corruption Working Group (ACWG) and the OECD Working Group on Bribery (WGB)

- Attendees welcomed the organisation of the second joint session between WGB and the G20 ACWG. The joint session addressed two key deliverables under Japan's G20 Presidency, the G20 High Level Principles on Whistleblower Protection and the Good Practices Compendium on Integrity in Infrastructure Development. The two groups also advanced the dialogue on gender and corruption. Saudi Arabia highlighted its priorities during its upcoming G20 Presidency.

### Country reports on implementation of the Anti-Bribery Convention and 2009 Anti-Bribery Recommendation

The WGB:

- Adopted the [Phase 3 report of Latvia](#) and it was published on the OECD website on 16<sup>th</sup> October. Latvia has continued to improve its framework against bribery of foreign public officials and subsequent money laundering but the reforms need to translate into further effective enforcement. In accordance with the procedure, Latvia will submit a written report to the WGB within two years (October 2021) on its implementation of all recommendations and its enforcement efforts.
- Adopted the [Phase 1bis Report of Ireland](#) and it was published on the OECD website in October 2019. This report reviews Ireland's new Criminal Justice (Corruption Offences) Act 2018 (CJA 2018), which came into force in July 2018. Ireland's practical implementation of this new legislation will be followed up very closely when Ireland undergoes its Phase 4 Evaluation in 2021 to determine whether it is effective.
- Considered Belgium's additional Phase 3 written report on the implementation of recommendations 6 (statute of limitations) and 12(b) (whistleblower protection). Belgium will report back in December 2019 to provide a more detailed report on steps taken to implement these recommendations.
- Considered an ad-hoc written report by Brazil on developments regarding the anti-corruption Bill N° 27, 2017, which included an overly broad definition of the offence of abuse of authority by judges and prosecutors. The WGB noted other concerning developments. The WGB subsequently agreed to send a high-level mission to Brazil as soon as possible to meet with Brazilian senior officials to reinforce the message that law enforcement capacity to investigate and prosecute foreign bribery should be preserved.
- Considered Estonia's additional Phase 3 written follow-up report on the status of legislation to increase sanctions for legal persons as well as the ongoing effort to reform its Code of Criminal Procedure. Estonia will report back as soon as the legislation is adopted, with further follow up during the Phase 4 evaluation.
- Considered an update from Greece on an ongoing legislative process to amend the Criminal and Criminal Procedure Codes in force since 1 July 2019. The WGB agreed to conduct a technical mission to Athens on 29 October, jointly with GRECO, to convey concerns and explore possible solutions for facilitating Greece's implementation of the Convention.
- Considered Poland's additional Phase 3 oral report and noted that no progress had been made to implement four longstanding unimplemented recommendations. The date and practical details of a High-Level Mission to Poland will be decided at its next meeting in December 2019, after the October 2019 Parliamentary elections have taken place in Poland and the new government has been formed.

- Considered Slovenia's additional Phase 3 oral follow-up report on the ongoing legislative process aiming at adopting the Integrity and Prevention of Corruption Act (IPCA) and on the institutional functioning of the Commission for the Prevention of Corruption (CPC). The WGB issued a public statement to express its concern that an ongoing parliamentary inquiry might constitute direct pressure on and interference with the work and functioning of the judiciary in Slovenia.
- Considered Turkey's additional Phase 3 written follow-up report and agreed that a High Level Mission would be sent to Turkey in 2020.

## Future and ongoing WGB projects and events

The WGB:

- Discussed the review of the 2009 OECD Anti-Bribery Recommendation.
- Discussed collaboration with the IMF in the context of Article IV consultation reports.
- Discussed collaboration with the OECD Economics Department.

## Global relations activities

The WGB:

*Heard an update about the Anti-Corruption Network for Eastern Europe and Central Asia*

- Heard the Secretariat report on ongoing and future activities such as a stocktaking report on anti-corruption achievements and challenges in Eastern Europe and Central Asia (2016-2019), which will be launched at the ACN High Level Meeting in March 2020, in the margins of the OECD Global Anti-Corruption & Integrity Forum, as well as the development of Anti-Corruption Performance Indicators.

*Heard an update about the Anti-Corruption Initiative for Latin America and the Caribbean*

- Heard the Secretariat report on the [second meeting of the Latin America & Caribbean Anti-Corruption Law Enforcement Network](#) (LAC LEN), which took place in Brasília on 3-4 September 2019. The meeting was jointly organised by the OECD Secretariat and Brazil's Office of the Comptroller-General, Office of the Attorney-General and the Federal Prosecution Service, and supported by the network of British Embassies in Central America and the Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ).

## Reports from other OECD Bodies, Invitee Countries, and International Organisations

The WGB:

- Heard the International Ethics Standards Board for Accountants (IESBA) make a presentation on the 2017 IESBA standard on "Non-compliance with laws and regulations" (NOCLAR) concerning how accountants and auditors may respond to corruption and other illegality discovered in the course of their professional mandates to protect the public interest.
- Heard the OECD Legal Director provide an update on recent developments on the International Partnership against Corruption in Sports.
- Heard the United Arab Emirates share information about a new initiative to accelerate the achievement of their National Agenda objectives.
- Heard OECD representatives provide an update about the OECD Trust in Business Initiative and reported on the [Trust in Business Forum](#) which took place on 1-2 October 2019.

- Heard a representative from UNODC provided an update on recent activities, particularly in relation to the upcoming 8<sup>th</sup> session of the Conference of States Parties to the United Nations Convention against Corruption, which will take place in Abu Dhabi from 16-20 December 2019.
- Heard the Secretariat to the Working Party on State Ownership and Privatisation Practices inform the WGB of the OECD SOE Anti-Corruption Day on 16 October 2019, which celebrated the adoption of the ACI Guidelines and brought together representatives from different sectors to discuss good practices to help contribute to the development of the Implementation Guidelines.

### Tour de Table

The WGB:

- Heard Japan, Mexico, New Zealand, Netherlands, Peru, Poland, Portugal, Slovak Republic, Czech Republic, UK, Slovenia, Sweden, Switzerland and Turkey report on their steps taken to implement and enforce the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, namely in regards to cases under investigation, as well as exchange of information on the presented cases.
- Heard requests for, and approved the deletion of registered cases from various countries.
- Heard Canada report on developments in relation to allegations of interference in the prosecution of SNC-Lavalin for alleged bribery in Libya.