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MENA-OECD BUSINESS INTEGRITY NETWORK

Mobilising public-private dialogue to build trust and combat corruption

23-24 March 2020
OECD Conference Centre CC4
Paris, France

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CONTEXT

Corruption remains a major impediment to social and economic development at both a regional and global level. It poses substantial risks in terms of investment, and undermines trust in markets and institutions alike. It further impedes market regulation, whilst inhibiting private-sector led growth, and deterring foreign investment. Combatting corruption and promoting integrity are an integral component of a regional agenda to enhance competitiveness, spur clean business climate and develop a fair playing field for the private sector.

In the MENA region, levels of corruption remain to be perceived as very high and there is an increasing demand for greater integrity and transparency. Trust in business and institutions remains low and there is a public perception that leaders are not acting in the public interest. Corruption scandals, corporate misconduct and failed implementation of commitments continue to fuel a lack of trust. A holistic, proactive approach by both governments and business is needed to rebuild trust and enhance integrity.

The OECD has taken a long-lasting stance in tackling corruption, especially through the implementation of the *Convention on Combatting Bribery of Foreign Public Officials in International Business Transactions.*

The MENA-OECD Initiative on Governance and Competitiveness for Development

Created at the request of MENA countries in 2005, the Initiative facilitates co-operation between the OECD and the MENA region to promote policies for sustainable and inclusive growth.

The Initiative brings together MENA and OECD governments, the international community, civil society and the private sector to address regional needs and development priorities, including the integration of women and youth through jobs and greater participation in policy making. It also takes into account the region's diversity by providing targeted support to individual countries.

The Initiative builds on the OECD's working methods of policy dialogue, exchange of good practices and capacity building for the implementation of reforms.

http://www.oecd.org/mena

ABOUT THE MENA-OECD BUSINESS INTEGRITY NETWORK (MOBIN)

The MENA-OECD Business Integrity Network is a unique regional platform working to promote business integrity in the MENA region.

The **MENA-OECD Business Integrity Network** aims to:

- Support the convergence of MENA regulatory frameworks and MENA businesses with internationally-recognised integrity norms, standards and best practices ;
- Strengthen international cooperation for law enforcement (i.e. detection, investigation and prosecution of corruption cases) through exchange of information and mutual legal assistance ;
- Provide an effective platform for strengthening public-private dialogue, for peer-learning and sharing of tools and best practices.

This work is carried out with the support of the Swedish International Development Cooperation Agency (SIDA).

OBJECTIVES OF THE MEETING

In the MENA region, in a moment of social contestation and extended discomfort concerning the social and economic outcomes of existing polices, rebuilding trust and reinforcing accountability mechanisms are critical. The objective of this meeting is to bring together actors from the civil society, the media, the private sector and high-level policy makers to join efforts of all relevant stakeholders and map the way forward areas which are key to fighting corruption.

The meeting will offer a platform for authorities and the business community to discuss incentives to support more **effective bribery compliance programmes in MENA**. Robust anti-bribery compliance procedures are essential for ensuring that businesses can prevent, detect, and respond to bribery, domestically and in international business. A growing number of private sector companies across the world have adopted anti-corruption compliance systems in the last decade, in accordance with international standards, including the *2009 OECD Good Practice Guidance on Internal Controls, Ethics, and Compliance*, and countries need to actively support these efforts. To that end, better understanding the drivers of compliance, i.e. what motivates companies to adopt a compliance system, is essential to inform policy makers in their efforts to incentivise compliance and support the private sector in its effort.

Individual action and corporate compliance programmes at company level can be usefully complemented by **collective action against corruption** by multiple firms across a given sector. This type of action is an important tool in advancing integrity and achieving a level playing field for all actors in the market. The meeting will be the occasion to launch the OECD Policy Insights on Global lessons on collective action based on the pilot imitative conducted in Morocco in key economic sectors.

This year the meeting will further provide a platform of reflection to discuss the **core role of civil society and media in the fight against corruption**. The UNCAC acknowledges the critical role of media and civil society in fighting corruption. Art. 13(d) asks States Parties to strengthen the participation of society in the fight against corruption by "respecting, promoting and protecting the freedom to seek, receive, publish and disseminate information concerning corruption".

Finally, the meeting will address the **mechanisms for the protection of whistleblowers**, with the aim to further understand the whistleblowing process as well as measures to enhance the readiness of authorities to apply protection measures and discuss recent developments in that field.

This meeting is the joint effort of the OECD Middle East and Africa Division, the Anti-Corruption Division and the Public Governance Directorate.

Participants will also have the opportunity to take part in the ***Roundtable on Anti-Corruption and Business Integrity.*** This Roundtable, organised by the OECD Anti-Corruption Division on 24 March, will foster a comparative policy discussion of significant governmental and private-sector initiatives to enhance business integrity.

Participants are also invited to join the OECD Global Anti-Corruption & Integrity Forum, 25-26 March at the OECD, one of the leading public fora on integrity and anti-corruption worldwide.

PARTICIPANTS

This meeting will bring together a range of actors working in the field of integrity in the MENA region, including high-level anti-corruption policy makers, businesses, civil society and the media. Participants will also include experts from OECD countries to support peer-learning.

PRACTICAL INFORMATION

Venue: OECD Conference Centre – Room CC4
2, rue André Pascal 75116, Paris, France

Arabic/English/French interpretation will be provided during the 23 March meeting.

PROGRAMME SUMMARY

23-24 March 2020

23 March – OECD – Room CC4

8.30-9.00	*Registration and welcome*
9.00-10.00	**Opening Ceremony and launch of OECD Policy Insights**
10.00-10.30	*Coffee break and Group Picture*
10.30-12.30	**Session 1: Encouraging strong compliance frameworks in MENA – a two-way street**
12.30-14.00	*Lunch Break*
14.00-16.00	**Session 2: The core role of civil society and media in the fight against corruption**
16.00-17.00	**Session 3: Building a whistleblowing culture in MENA**
17.00-17.30	**Closing and way forward**

24 March – OECD - Auditorium

Anti-corruption and Business Integrity Roundtable

no Arabic translation available

8:30 - 9.00	*Registration and welcome coffee*
9:00 – 10:00	**Opening Ceremony**

Welcoming remarks:

- **H.E. Mohamed Ben Abdelkader,** Minister of Justice, Morocco
- **Ludger Schuknecht,** Deputy Secretary General, OECD (TBC)
- **Drago Kos,** Co-Chair of MOBIN, Chair of the OECD Working Group on Bribery

Launch the OECD Policy Insights "Global lessons on collective action against corruption – The Case of Morocco"

10:00 – 10:30	*Coffee break and Group Picture*
10:30 – 12:30	**Session 1: Encouraging strong compliance frameworks in MENA: a two-way street**

Whereas anti-corruption compliance was a topic of interest in a limited number of countries ten years ago, the past decade has seen the emergence of anti-corruption compliance systems in companies across the globe. Various factors have been driving private sector companies to design systems to prevent, detect and respond to the risk of corruption, including legal and regulatory requirements, enforcement and reputational risks. But the responsibility does not stop with the private sector; countries need to actively support companies in these efforts and encourage the private sector to develop compliance procedures. This session will examine where the MENA region stands in terms of compliance and offer a platform for policy makers and the business community to discuss incentives to support more effective corporate compliance programmes and policies. In particular , discussions will address the following questions:

- What incentives can governments create for the private sector to develop and enforce effective compliance programmes?
- What are the private sector incentives for compliance?
- What can business associations do to promote compliance in the private sector?

Moderator: **France Chain**, Senior Legal Analyst, OECD Anti-corruption Division

Speakers:

- **OECD example (tbc)**
- **Eduardo Rangel**, Chief Compliance Officer, National Bank of Bahrain
- **MED Private Sector / Business Association (tbc)**
- **Melissa Khemani,** Associate Director, Project Integrity, European Bank for Reconstruction & Development (EBRD)

Discussion - Q&A

12:30– 14:00	*Networking lunch – Roger Okrent Room (Chateau de la Muette)*

14:00 – 16:00 Session 2: The core role of civil society and media in the fight against corruption

At a time when society across the MENA region is questioning the governments' commitment to fighting corruption, it is imperative that civil society and the media have a seat at the table. Citizens from around the region are calling out for more transparency and governments' accountability. Trust is at an all-time low. Civil society plays a key role in in bringing forward a culture of integrity by promoting transparency and monitoring governments' anti-corruption commitments. The media also holds an all-important role: to scrutinize, raise awareness and hold to account. Media reporting is an essential—albeit untapped— source of detection in corruption cases and media reporting in general is among the most important sources of public awareness-raising on corruption.

This session has two aims:

- To explore the crucial role played by the civil society and media in raising public awareness on anti-corruption, and revealing and pursuing allegations of corruption, and the challenges encountered in that context
- To highlight the need for anti-corruption agencies in the MENA region to collaborate closely and strengthen their ties with civil society and the media in the regional struggle against corruption, while ensuring the independence and integrity of the different actors.

Moderator: (tbc)

Speakers:

- **Lyas Hallas,** Investigative Journalist, Algeria, Member of the International Consortium of Investigative Journalists
- **Kuwait national anti-corruption agency** (tbc)
- **MENA NGOs** (tbc)
- **Karine Badr**, Policy Analyst, Open and Innovative Government Division, OECD

Discussion - Q&A

16:00 – 17:00 Session 3: Building a whistleblowing culture in MENA

Comprehensive whistleblower protection policies are an essential component of an integrity framework, promoting a culture of openness and integrity and facilitating the detection of fraud, corruption and other forms of unethical behaviour in the public and private sectors. There is growing awareness worldwide of the important role whistleblowing plays and specific legislation on protecting whistleblowers have recently begun to be adopted by some MENA economies, as is the case notably in Tunisia and the Palestinian Authority.

This session will:

- Examine whistleblowing provisions across the MENA region and beyond;
- Consider the conditions that need to be met for whistleblowers to feel safe; as well as tips and arguments for campaigning for enhanced whistleblower safeguards

- Explore some of the steps that countries can take to support whistleblowers and the steps whistleblowers might take before and after speaking up.

Moderator : **Jeroen Michels**, Policy Analyst, Governance Reviews and Partnerships Division (OECD)

Speakers:
- **Inese Kuske,** Contact Point of Whistleblowers, Department For Public Administration Policy, State Chancellery, Latvia
- **Chawki Tabib,** President of the Tunisian National Anti-corruption Body **(INLUCC)**
- **Palestinian Anti-Corruption Commission**

Discussion - Q&A

17:00 – 17:30 Closing remarks – Towards a shared vision

- **Mr. Andreas Schaal,** Director, Global Relations Secretariat, OECD (tbc)

24 March 2020

Auditorium

09:00-17:30 **Anti-corruption and Business Integrity Roundtable**

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Ressources

- OECD (2018), Maroc: Renforcer l'intégrité dans les secteurs de l'énergie, de la santé et des transports
- OECD(2018) Diagnostic d'intégrité au Maroc : Mettre en œuvre des politiques d'intégrité pour renforcer la confiance
- OECD (2018), The Role of the Media and Investigative Journalism in Combating Corruption, www.oecd.org/corruption/The-role-of-media-and-investigative-journalism-in-combating-corruption.htm
- AfDB/OECD (2016), "Anti-Bribery Policy and Compliance Guidance for African Companies"
- OECD (2016), "Committing to Effective Whistle-blower Protection"
- OECD (2015), "G20/OECD Principles of Corporate Governance"
- OECD (2014), "Strengthening Business Integrity in Small and Medium Enterprises in the Middle East and North Africa"
- OECD (2014), "Foreign Bribery Report: An Analysis of the Crime of Bribery of Foreign Public Officials"
- OECD (2013) Integrity Scan of Tunisia
- International Chamber of Commerce (2011), "ICC Rules on Combating Corruption"
- League of Arab States (2010), "Arab Anti-Corruption Convention"
- OECD (2010), "Anti-corruption Ethics and Compliance Handbook for Business"
- OECD (2010), "Good Practice Guidance on Internal Controls, Ethics, and Compliance"
- OECD (2009), "Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions"
- UN (2004), "The United Nations Convention on Anti-Corruption (UNCAC)"
- African Union (2003), "African Union Convention on Preventing and Combating Corruption"
- UNDP in the Arab States