



# Business Associations and the Fight against Corruption in the Middle East and North Africa (MENA)

## AGENDA

**29 March 2017, 9.00 – 18.00**

OECD Conference Centre  
2, rue André Pascal 75116  
Paris, France

## Context

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Corruption remains a major impediment to economic development, posing a substantial investment risk and undermining trust in markets and institutions alike. Corruption complicates the regulation of markets, inhibits private-sector led growth and deters foreign investment. This is also the case in the MENA region, where corruption perception levels remain very high, impacting investors' confidence and the business environment.

At an international level, several conventions have been adopted in support of establishing corruption-free societies. The **United Nations Convention against Corruption** (UNCAC) and the **OECD Anti-Bribery Convention** notably require adhering countries to criminalise bribery of public officials, including by private companies:

- The UNCAC, ratified by 18 MENA countries<sup>1</sup> in addition to the OECD countries, compels adhering countries to set up a comprehensive strategy to prevent and combat corruption, including effective cooperation mechanisms between national authorities and the private sector<sup>2</sup>.
- The OECD Anti-Bribery Convention has led companies in OECD and non-OECD<sup>3</sup> adhering countries to develop and enforce preventive, self-regulatory measures to eliminate malpractices and fraud. Several additional instruments have been developed by the OECD, to help policy-makers advance integrity and promote a clean business environment:
  - **The OECD Good Practice Guidance on Internal Controls, Ethics and Compliance** lists a set of measures companies can take to effectively prevent and detect foreign bribery through solid internal controls, ethics and compliance programmes.
  - **The OECD Declaration on International Investment and Multinational Enterprises**, subscribed by OECD countries and four MENA countries<sup>4</sup>, establishes National Contact Points (NCPs) responsible for reaching out to businesses, and thus enhance coordination with the private sector and civil society at large.

In this context, fighting corruption increasingly becomes a business decision. Combatting corruption and promoting integrity are integral components of a regional reform agenda to enhance competitiveness, spur clean business climate, attract foreign investment, develop a fair playing field for the private sector, increase regional integration, as well as upgrade economic activities in regional and global value chains.

## Objectives of the Meeting

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The **MENA-OECD Business Integrity Network**, established in 2011 by the **MENA-OECD Competitiveness Programme**, builds a bridge between regulatory best practice and pragmatic considerations to design and implement effective anti-corruption strategies in the MENA region. In October 2016, Ministers endorsed the [Tunis Declaration](#) for the Initiative's new 2016-2020 mandate and called upon the **MENA-OECD Integrity Network** to focus on policy dialogue and peer learning for a stronger, cleaner, and fairer business climate.

In the context of the [2017 OECD Integrity Week](#), the **MENA-OECD Business Integrity Network** will bring together top anti-corruption policy-makers and practitioners from MENA and OECD governments and businesses, to discuss initiatives and instruments to level the playing field and foster a business-friendly environment through integrity in the MENA region. The discussions will feed into the strategic priorities on anti-corruption and integrity policies for the extended mandate of the Competitiveness Programme (2016-2020).

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<sup>1</sup> Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestinian Authority, Qatar, Saudi Arabia, Tunisia, UAE, Yemen.

<sup>2</sup> Article 39 of the United Nations Convention Against Corruption.

<sup>3</sup> Argentina, Brazil, Bulgaria, Colombia, Russia, and South Africa.

<sup>4</sup> Egypt, Jordan, Morocco, and Tunisia.

# MENA-OECD Initiative on Governance and Competitiveness for Development

9.00 - 9.30

## PLENARY OPENING

*Auditorium*

9.30 - 16.00

### MENA-OECD BUSINESS INTEGRITY NETWORK

“Business Associations and the Fight against Corruption in the Middle East and North Africa”

*Auditorium*

### MENA-OECD GOVERNANCE PROGRAMME AND WORKING GROUP ON CIVIL SERVICE & INTEGRITY

“Integrity through Risk Management and Control”

*CC 13*

16.00 - 17.30

## JOINT SESSION

*“Raising the Bar on Integrity: Opportunities for Public-Private Dialogue”*

*CC 13*

17.30 - 18.00

## CLOSING

*CC 13*

18:00 - 20:00

## COCKTAIL

### Contact information

#### OECD-MENA Competitiveness Programme

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#### OECD-MENA Governance Programme

##### Ms. Miriam Allam

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##### Mr. Gavin Ugale

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# **Business Associations and the Fight against Corruption in the Middle East and North Africa**

29 March 2017 ♦ OECD Conference Centre

**8.30 - 9.00 Registration**

**9.00 - 9.30 Plenary Opening**

Auditorium      **Mr. Douglas Frantz**, Deputy Secretary-General, OECD

**9.30 - 12.30 Session 1: The role of business associations in combating corruption**

Auditorium      *Business associations can offer a powerful platform for companies to collectively engage in the fight against corruption and level the playing field between competitors. They have played an increasing role particularly in setting integrity and anti-corruption standards for businesses. Some of them have developed codes of conduct, awareness raising and advocacy tools, and offer training and guidance on anti-corruption guidance.*

*This session explores how collective private action in the Middle East and North Africa has advanced the agenda for business integrity:*

- *What strategies have been adopted to advocate for integrity in the private sector?*
- *What incentives and tools have been designed to encourage members to adopt and transpose integrity measures into their business activities?*
- *How are legislative changes incorporated into their activities? Are the activities based on government supported initiatives?*
- *What difficulties have been encountered when promoting integrity through collective action?*

**Moderator:** **Mr. Majdi Hassen**, Executive Director, Institut Arabe des Chefs d'Entreprises, Tunisia

**Keynote Speaker:**

**Mr. Nicolas Tollet**, Legal Counsel, Anti-Corruption Compliance at Hughes Hubbard & Reed LLP, Paris

**10.00 - 10.15 Coffee break**

**Moderator:** **Mr. Majdi Hassen**, Executive Director, Institut Arabe des Chefs d'Entreprises, Tunisia

**Speakers:**

**Mr. Qusay Salama**, Anti-Corruption Task Force, Egyptian Junior Business Association (EJB)

**Mr. Fadi Saab**, Chairman, Anti-Corruption Committee, ICC Lebanon, and Senior Advisor to the World SME Forum (WSF)

**Mr. Odeh Shehadeh**, Secretary General, Palestinian Federation of Industries

**Mr. Mounir Beltaifa**, President, CONECT-France, Confederation of Tunisian Citizen Enterprises

**Mr. Faris Al-Salman**, Chairman, Baghdad Economic Forum, Iraq

**Ms. Amina Figuigui**, Ethics Commission Vice-Chair, Confederation of Moroccan Enterprises (CGEM)

**12.30 - 14.00 Lunch break**

**14.00 - 15.30 Session 2: Promoting integrity – Government strategies to engage the private sector**

Auditorium      *Governments cannot underestimate the importance of adopting and implementing comprehensive anti-corruption strategies as part of their efforts to promote a clean business environment. Achieving these goals, however, requires effective coordination with the private sector. Several*

*instruments developed by the OECD, such as the OECD Good Practice Guidance on Internal Controls, Ethics and Compliance and the OECD Declaration on International Investment and Multinational Enterprises, provide effective tools and frameworks that help policy-makers advance integrity in the private sector.*

*This session will highlight government-led integrity initiatives addressed to businesses, building notably on a constructive dialogue between various stakeholders.*

- *Have government agencies reached out to the private sector and in particular business associations to encourage them to adopt structures to support integrity e.g. internal controls, ethics and compliance measures, due diligence procedures, as well as corporate governance frameworks?*
- *Do governments ensure that business can operate on a level playing field and compete fairly, including between the public and the private business sector?*
- *Have particular risks in business (sectors, activities, regions) been identified and are companies encouraged to take appropriate business based due diligence measures?*

**Moderator:** Ms. Nicola Ehlermann, Head of the MENA-OECD Competitiveness Programme, OECD

**Speakers:**

H.E. Dr. Hasan Al-Yasiry, Chairman of the Integrity Commission, Iraq

Dr. Maysoun Queisi, Commissioner and Legal Advisor, Jordan Integrity and Anti-Corruption Commission, Jordan

Mr. Mohamed Nacerdine Hadjali, Head of Division, National Body for the Prevention and Fight against Corruption, Algeria (TBC)

Ms. Néjia Gharbi, Advisor to the Cabinet of the Head of Government and in charge of Investor Support, Tunisia

Ms. Catherine Marty, Legal Analyst, Anti-Corruption Division, Directorate for Financial and Enterprise Affairs, OECD

**15.30 - 16.00**      **Coffee break**  
CC13

**16.00 - 17.30**      **Joint Session: Raising the Bar on Integrity – Opportunities for Public-Private Dialogue**

CC13      *Both public and private sectors face similar challenges in safeguarding integrity, particularly in areas where their activities overlap, and therefore opportunities exist for enhanced public-private dialogue and sharing best practices. In the public sector, improved coordination, more robust frameworks, enhanced oversight and effective use of tools like risk assessments, are all part of the solution to strengthen integrity. Similarly, businesses need to enhance their coordination through platforms that enable them to collectively engage in the fight against corruption, such as Business associations, and have effective internal control and risk management.*

*This session will bring together the public and private perspectives, as well as those of various oversight and audit bodies, in order to determine the multi-faceted roles of institutions charged with fighting corruption and how they can work together more effectively.*

- *What can the public sector learn from the private sector—such as lessons from its efforts in combatting corruption through robust frameworks, enhanced oversight and effective use of tools like risk assessments?*
- *What can the private sector learn from the public sector—such as lessons from its oversight arrangements and coordinated efforts to combat corruption?*
- *What are the challenges for fighting corruption in areas where public and private sector activities overlap, such as procurement and infrastructure?*
- *What are the solutions for overcoming these challenges?*

*Moderator:* MENA-OECD Initiative for Governance and Competitiveness for Development

*Speakers:*

**Mr. Abdellatif Mouatadid**, Director, Central Authority for Corruption Prevention (ICPC), Morocco

**Mr. Majdi Hassen**, Executive Director, Institut Arabe des Chefs d'Entreprises, Tunisia

**Ms. Anna Kompanek**, Director for Multi-regional programs, Center for International Private Enterprise (CIPE)

**17.30 - 18.00 Joint Closing**

**CC13** **Mr. Kamel Ayadi**, President of the High Committee of Administrative and Financial Control of Tunisia

**H.E. Mr. Erdem Başçı**, Ambassador, Permanent Representative to the OECD, Turkey, Co-Chair of the MENA-OECD Competitiveness Programme

**H.E. Mr. José Ignacio Wert**, Ambassador, Permanent Representative to the OECD, Spain, Co-Chair of the MENA-OECD Governance Programme

**18.00 Cocktail (*offered by the OECD*)**

## Background Documents

- 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](#)"
- 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](#)"
- OECD (1997), "[Convention for Combating Bribery of Foreign Public Officials in International Business Transactions](#)"

## About the MENA-OECD Initiative for Governance and Competitiveness for Development

Created at the request of MENA countries in 2005, the **MENA-OECD Initiative on Governance and Competitiveness for Development** seeks to strengthen the region's economic and governance foundations to provide a basis for development and help MENA economies design and implement policy reforms.

### MENA-OECD Competitiveness Programme

The **MENA-OECD Competitiveness Programme** is a strategic partnership between MENA and OECD countries to share knowledge, expertise and good practices. It aims to contribute to the development of inclusive, sustainable and competitive economies across the Middle East and North Africa. The Programme fosters co-ordination between the different stakeholders committed to improving the living standards of MENA citizens: local and national governments, international and regional organisations, multilateral initiatives, civil society and the private sector representatives.

In the framework of the **MENA-OECD Business Integrity Network**, the Programme 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 public-private dialogue** for peer-learning and sharing of tools and best practices.

### MENA-OECD Governance Programme

The **MENA-OECD Governance Programme** is a strategic partnership between MENA and OECD countries to share knowledge and expertise, with a view of disseminating standards and principles of good governance.

The Programme strengthens collaboration with the most relevant multilateral initiatives currently underway in the region. The Programme supports the implementation of the G7 Deauville Partnership (Governance Pillar) and assists MENA countries in meeting the eligibility criteria to become a member of the Open Government Partnership.

The Programme provides a sustainable structure for regional policy dialogue as well as for country specific projects. The projects correspond to the commitment of MENA governments to implement public sector reforms in view of unlocking social and economic development and growing expectation among citizens to benefit from quality public services, inclusive policy making and transparency.

By drawing on its network of peer experts and policymakers, the **MENA-OECD Governance Programme** brings together high-level practitioners from MENA and OECD countries. Through constantly exchanging best practices, providing capacity building seminars and implementation support, the Programme helps foster a more social and economic development in the region.