Working Group on Bribery in International Business Transactions (CIME)

ANTI-CORRUPTION DECLARATION

(Note by the Chairman of the Ad Hoc Group on Non-Members)

This note was presented to the Working Group at the meeting held on 5-7 December 2000.

The note will be discussed at the February 2001 meeting.
DECLARATION ON COMBATING CORRUPTION

THE GOVERNMENT OF ___________________________

Recognising that corruption, including bribery of foreign public officials in international business transactions is a widespread phenomena that undermine good governance and economic development, and distort international competitive conditions;

Welcoming the OECD initiatives to combat corruption, in particular the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions, the 1997 Revised Recommendation on Combating Bribery in International Business Transactions and the 1996 Recommendation on Tax Deductibility of Bribes to Foreign Public Officials, as well as the Revised OECD Guidelines for Multinational Enterprises;

Recognising that co-operation on both the multilateral and national levels is critical to the effective fight against corruption, that all countries share a collective and individual responsibility to combat bribery and corruption, and that the fight against international bribery and corruption will be enhanced by further communication and co-operation among OECD members and non-members;

PLEDGES to take concrete and meaningful steps, for example by means of association with regional initiatives, and in accordance with its jurisdictional and basic legal principles to prevent and combat bribery and corruption by:

1. enacting and effectively enforcing laws and sanctions that prohibit solicitation or receipt of bribes by public officials, misuse of public property, and other improper uses of public office for private gain, taking account of good governance standards, including the OECD Recommendation on Improving Ethical Conduct in the Public Service;

2. enacting and effectively enforcing criminal and other laws and sanctions that prohibit the offence of bribery of foreign public officials in international business transactions and ensuring that such bribes are not tax deductible;

3. establishing and effectively enforcing laws that promote the detection and reporting of bribery and corruption, including with respect to money laundering, accounting and auditing, and internal corporate controls;

4. ensuring open and transparent procedures for domestic and foreign investment and government procurement;

5. promoting the adoption of sound business management practices by the business community as embodied in international standards, including the OECD Principles of Corporate Governance, as well as corporate compliance programmes and internal codes of conduct;

6. strengthening the rule of law by ensuring the independence of investigative and judicial institutions;

7. ensuring an adequate basis for international co-operation in criminal investigations and proceedings brought by governments, and to provide for mutual legal assistance with respect to bank records in civil and criminal cases without asserting bank secrecy.

AGREES to a periodic exchange of views in a Liaison Group to assess progress made on the steps taken to implement this Declaration;

APPEALS to countries, Members of the Convention on Combating Bribery of Foreign Public Officials in International Business Transactions to share their experiences in implementing the Convention and the related Recommendations as well as other OECD instruments to combat corruption.