

OECD Working Group on Bribery

Public Summary Record

Plenary Meeting
14-18 June 2021



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

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

The WGB:

- Adopted the [Phase 2 report of Peru](#), which was published on its website on 30 June 2021. The report welcomes the steps taken to improve enforcement, but notes that the legislative framework for fighting foreign bribery contains many deficiencies and Peru has not implemented the Phase 1 recommendations. Invited Peru to provide an oral follow-up report in one year (i.e. June 2022) on recommendations 1(b), 9(a), 9(b), 10(a), 10(b) and 15(b), and a written follow-up report in two years (i.e. June 2023) on the implementation of all Phase 2 recommendations and follow-up issues.
- Considered [Hungary's two-year written follow-up report](#) on the implementation of Phase 4 recommendations. Concluded that recommendations 1(b), 4(d), 4(e), 6(a) and 9(a) have been fully implemented; recommendations 1(c), 2(b), 6(d) and 9(b) have been partially implemented; and recommendations 1(a), 1(d), 1(e), 2(a), 2(c), 2(d), 3, 4(a), 4(b), 4(c), 5(a), 5(b), 5(c), 5(d), 6(b), 6(c), 7(a), 7(b), 8(a), 8(b), 8(c), 10(a) and 10(b) have not been implemented. Invited Hungary to provide an additional written report in one year (June 2022) on the status of its foreign bribery enforcement, as well as the level of implementation of recommendations 1(a)(c-e), 2(a), 4(a-c), 6(b)(c) and 9(b). Noted that the Working Group will continue to monitor follow-up issues 11.a.-11.g. and 11.i.-11.l. as case law and practice develop.
- Considered [Korea's two-year written follow-up report](#) on the implementation of Phase 4 recommendations. Concluded that recommendations 1(b), 2, 6(a)-(c), 9(c) and (d), 11(a), 14(c) and 15(c) have been fully implemented; recommendations 3(a), 4, 7(b), 8, 9(a), 10(a)-(b), 12(a)-(b), 13, 14(a) and 15(b) have been partially implemented; and recommendations 1(a) and (c), 3(b)-(c), 5, 7(a), 9(b), (e)-(g), 11(b), 14(b) and (d) and 15(a) have not been implemented. Invited Korea to provide an additional written report to the Working Group in one year (i.e. June 2022) to update the Working Group on outstanding recommendations 5, 9(a)-(b), (e) and (g), 10(b) and 12(b), as well as on the status of foreign bribery enforcement.
- Considered the Czech Republic's additional written follow-up report on six outstanding Phase 4 recommendations and the application of the exemption of "justly required efforts". Approved the reassessment of recommendation 4(c), which is now considered fully implemented. Discussed and approved a press release on the resignation of the Supreme Public Prosecutor. Invited the Czech Republic to report back in two years (i.e. June 2023) on recommendations 1(e) and 3.
- Considered the United Kingdom's additional written follow-up report on 20 outstanding Phase 4 recommendations, including 13 on which the country was asked to report, and 7 on which the UK chose to report on its progress. Approved the reassessment of recommendations 7(a), which should be deemed partially implemented, 9(b), 10, 14(c), 14(e)-(f) and 15(a), which should be deemed fully implemented, and 7(b), 14(b) and 14(d), which should be deemed fully implemented but converted into a follow-up. Invited the UK to report back in two years (i.e. June 2023) on a number of outstanding recommendations. The Lead Examiners, the UK and the Secretariat will liaise to find an agreement on which recommendations the UK should follow-up in writing.
- Heard an update on the HLM to Ankara that would take place virtually on 21-22 June. Invited the Secretariat to provide an update on the HLM at the October 2021 WGB meeting.

- Heard Greece report on the remaining issues of its Technical Mission, namely (i) sanctions available for natural persons; (ii) defences and exemptions from prosecution; (iii) jurisdiction of the Public Prosecutor against Crimes of Corruption (PPACC); and (iv) any update on enforcement efforts against natural and legal persons following the oral report in June 2020.
- Considered the follow-up report from the HLM to Poland regarding Poland's Action Plan to organise police and prosecution resources to proactively detect, investigate and prosecute cases of foreign bribery by Polish individuals and companies. Adopted the report and invited Poland to report back in writing in October 2021 on the full details of the Action Plan, followed by an additional oral report in December 2021 on the progress made by law enforcement authorities on the basis of the Action Plan. Agreed to publish a public statement to express concerns over lack of progress in implementing reforms to boost the fight against foreign bribery.
- Considered Colombia's additional oral report on steps taken to implement Phase 3 recommendation 9 on whistleblower protection. Heard the Lead Examiners express concerns about some of the proposed amendments and agreed to follow-up closely on the points raised during the discussion in the context of Colombia's two-year written follow-up report scheduled for December 2021.
- Considered Israel's Phase 3 additional oral report on the draft bill to reform provisions of the Penal Code related to offences committed abroad. Invited Israel to report back in writing in one year (i.e. June 2022) on the implementation of outstanding Phase 3 recommendations 2(a) and 4.
- Considered Argentina's additional written report on its implementation of Phase 3bis Recommendations 5(c)-(f) and 6(e) and on information required from Argentina on pending legislation; decided that Argentina would report in October 2021 on (a) the Bill on the Organisation and Jurisdiction of Federal Courts Based in the City of Buenos Aires and in the Provinces and (b) the Bill to reform the AG and PPO. Argentina will also report in writing in June 2022 on its implementation of Phase 3bis Recommendations 5(c)-(f) and 6(e).

Ongoing and future WGB projects and events

The WGB:

- Heard the oral report on behalf of the Acting co-Chairs of the Informal Meeting of the Law Enforcement Officials held on 9 June 2021.
- Heard the Chair and the Secretariat provide an overview on the implementation of the WGB's Global Relations Strategy 2021-2022.
- Continued discussions on the review of the designation and functioning of the Management Group.
- Continued discussions on proposals for dealing with the lack of implementation of the Convention.
- Continued discussion on the impact of data protection regulations on WGB work.
- Took stock of the ongoing review of the 2009 OECD Anti-Bribery Recommendation.

Reports from other OECD bodies, invitee countries and international organisations

The WGB:

- Heard the Secretariat from the OECD Sherpa Office report on the latest developments concerning the G20 Anti-Corruption Working Group (ACWG), in particular, the development of High-Level Principles on Corruption related to Organised Crime, High-Level Principles on Corruption and Sports, High-Level Principles on Corruption in Emergencies, G20 Compendium on Corruption Measurement, and the development of the 2022-24 G20 Anti-Corruption Action Plan.

Tour de Table

The WGB:

- Heard France, Greece, Hungary, Iceland, Israel, Ireland, Italy, Latvia, Lithuania, Mexico and Norway 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 additional updates from Austria and the United Kingdom.