DRAFT AGENDA

Regional seminar
Enhancing integrity for sustainable investment

18-19 February 2020

Union for the Mediterranean (UfM)
Barcelona, Spain
**Context**

The **EU-OECD Programme on Promoting Investment in the Mediterranean**, launched in October 2016 in Tunis, aims to implement sound and attractive investment policies and establish effective institutions in the Southern Mediterranean (MED) region, with a view to attract quality investments and support job creation opportunities, local development, economic diversification and stability.

The Programme is implemented by the MENA-OECD Competitiveness Programme and the Investment Division of the OECD Directorate of Financial and Enterprise Affairs, and is governed by an Advisory Group, co-chaired by the European Commission and the OECD, with the participation of beneficiary countries, the Secretariat of the Union for the Mediterranean (UfM) and regional partners.

**Objective of the seminar**

**Integrity in business is critical for a country's development and investment performance.** Evidence suggests that bribery and corruption place a significant economic burden on businesses and keep countries from achieving their economic growth and employment potential. This is also the case in MED economies, where corruption perception levels remain very high, impacting investors' confidence and the business environment.

In this context, **governments, businesses and civil society need to share responsibility and act together** to promote more integrity that will improve the level and quality of the investment environment. Several MED countries have recently adopted comprehensive laws and national strategies to combat corruption. Yet, a culture of integrity cannot be achieved through public regulation alone: complementary and mutually supportive actions by the private sector also play an essential role. Indeed, corruption is a very multifaceted and continuously evolving phenomenon that requires innovative responses from the society as a whole.

The objective of the seminar is therefore to provide a **platform for multi-stakeholder dialogue on the importance of taking action in the fight against corruption in investment transactions.** Representatives from both the public and private sectors from MED and EU economies will explore how the adoption and promotion of integrity measures can contribute to achieving sustainable FDI and ease the deployment of investments.

The seminar will notably introduce **international instruments on anti-corruption** which help policy makers advance integrity, promote a clean business environment and include cooperation

---

1 According to the latest Corruption Perception Index of Transparency International, all eight MED economies score below 50 on a scale from zero (high corruption) to 100 (high integrity).
mechanisms with the private sector. Discussions will address the role of public authorities in fostering a clean investment environment, the importance of more robust regulatory and institutional frameworks to strengthen integrity, and the need to improve coordination both within governmental entities and with the private sector. Relevant multi-stakeholder initiatives taken to promote integrity in the region and elsewhere will be showcased and key related topics, such as integrity in public procurement and responsible business conduct, will also be discussed in dedicated thematic sessions.

Participants will gain an understanding of how effective cooperative anti-corruption efforts between private sector, public authorities and civil society can be achieved to promote a sound investment climate. The seminar will provide an opportunity for peer-learning, showcasing action undertaken by experts from different government institutions and the business community. Participants will become more familiar with the recognised integrity norms and standards. The seminar will identify existing initiatives and good practices that are relevant and transferrable to MED countries, and which encourage the development and implementation of measures and actions by both the public and private sectors to further integrity.

**Participants**

The seminar will gather MED government officials and policy makers in charge of investment policies from relevant ministries and investment promotion agencies (IPAs), officials from anti-corruption agencies and institutions in charge of anti-corruption policies, as well as business associations, multinationals operating in the region, and local companies and entrepreneurs. Civil society and the media, whose roles are crucial in the fight against corruption, will also be represented. Participants will benefit from a focused and interactive exchange of perspectives and experiences from practitioners and experts, EU peers and international organisations working in the field of anti-corruption.

**Background material**

**OECD instruments, recommendations and papers**

- Global Lessons on collective action against corruption – The case of Morocco (OECD)
- Responsible business conduct (RBC) and OECD Guidelines for Multinational Enterprises

**Other instruments**

- League of Arab States (2010), “Arab Anti-Corruption Convention”

---

**EU-OECD Programme on Promoting Investment in the Mediterranean**
Website


Venue

Meeting Room The Gala
UfM Conference premises
Palacio de Pedralbes Avinguda Diagonal 686
08034, Barcelona, Spain

Translation: English, French and Arabic
Day 1

08:30-09:00  Registration

09:00-09:30  Welcoming remarks

- H.E. Nasser Kamel, Secretary General, Union for the Union for the Mediterranean
- Michel Marciano, Seconded Senior Blending Facilities Policy Officer, DG Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission (TBC)
- Carlos Conde, Head, Middle East and Africa Division, Global Relations Secretariat OECD

09:30-11:00  Introductory session: Integrity, Anti-corruption and Investment

The objective of this introductory session is to further understand why combatting corruption and promoting integrity should be integral components of a national and regional reform agenda to attract investment, develop a fair playing field for the private sector and spur clean business climate. Discussions will explore how – by increasing uncertainty, costs and country-risk – corruption deters investment, discourages local and regional linkages, and exacerbates negative externalities and uncompetitive behaviour. The session will also aim to raise awareness of corruption and bribery risks throughout the investment life cycle by bringing concrete examples.

Moderation: Marta Blanco, President of CEOE International (Confederación Española de Organizaciones Empresariales), Co-chair of the MENA-OECD Business Advisory Board

Speakers:
Impact of corruption on FDI
- Neila Chaabane, Dean, Faculty of Juridical, Political and Social Sciences of Tunis, University of Carthage

Corruption risks and occurrence throughout the investment process
- Nicolas Tollet, Partner, Huges Hubbard & Reed LLP

11:00-11:30  COFFEE BREAK

11:30-13:00  Session 1 - International instruments and standards on integrity and anti-corruption promoting a clean business environment

This session aims to raise awareness of the international instruments on anti-corruption and integrity that have been adopted at regional and global levels to promote a clean business environment. In particular, the United Nations Convention against Corruption (UNCAC), which has been ratified by a majority of MED countries, imposes to set up a comprehensive strategy to prevent and combat corruption, including cooperation mechanisms between national authorities and the private sector. In addition, the OECD Anti-Bribery Convention, which criminalises bribery of foreign public officials by private
companies in international business transactions with strong enforcement and monitoring mechanisms, has led companies in adhering countries to develop and enforce preventive, self-regulatory measures to eliminate malpractices. While no MED countries has adhered to the OECD Anti-Bribery Convention yet, it impacts foreign businesses active in MED countries, bound to abide by the obligations set out in their home jurisdictions. Furthermore the standards set out in the Convention, as well as the enforcement and monitoring mechanisms it provides can help guide countries of the region advance integrity.

**Moderation: Catherine Marty**, Legal Analyst, Anti-Corruption Division, OECD

**Speakers:**
- **Lorenzo Salazar**, Vice-Chair of the OECD Working Group on Bribery in International Business Transactions and Deputy Prosecutor General at the Court of Appeal of Naples, Italy
- **Arkan El-Seblani**, Regional Manager, UNDP Arab States, Anti-Corruption
- **The private sector perspective – International Investor**

**Open discussion**

<table>
<thead>
<tr>
<th>Time</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>13:00-14:00</td>
<td>LUNCH BREAK</td>
</tr>
<tr>
<td>14:00-16:00</td>
<td>Session 2 - Government action to promote a clean investment environment</td>
</tr>
</tbody>
</table>

This session will take stock of actions taken by MED governments to foster integrity and fight the corruption in investment, by notably defining standards for businesses, through policies and law enforcement. Discussions will focus on the role that investment policy makers, including investment promotion agencies (IPAs), can play in ensuring and promoting integrity by reference to their status, mandates and activities. Participants will also discuss the benefits of a coordinated action between investment policy makers on the one hand and anti-corruption institutions and bodies on the other hand. The role of audit and oversight institutions in promoting transparency and good governance will also be discussed. MED and EU peers will present selected good practices and discuss with participants the experiences and the challenges encountered.

**Moderation: Marie-Estelle Rey**, Senior Advisor, Middle East and Africa Division, Global Relations Secretariat, OECD

**Exchange of experiences (MED Investment Promotion Agency and Anti-Corruption Agency) – Tour de table**
- **Hamdi Al-Khawaja**, General Director/Planning, Palestinian Anti-Corruption Commission
- **Naoufal Ouldelmehdi**, Strategic Manager, National Authority for Pobity, Prevention and Fight against Corruption (INPPLC)
- **Other Med countries (tbc)**

**Peers’ perspective**
The responsibility for fighting corruption lies with multiple actors. Non-governmental institutions and the private sector have an essential role to play in bringing forward a culture of integrity by promoting transparency and monitoring governments’ anti-corruption commitments. In a moment of open social contestation and extended discomfort about the social and economic outcomes of existing polices, rebuilding trust and reinforcing accountability mechanisms is essential. To this end, this interactive session will give representatives from civil society organisations and academia working at the crossroads of good governance and economic development the opportunity to share their experience and points of view on the topics discussed throughout the day, and engage in an open debate with public officials.

**Moderation:** Carlos Conde, Head, Middle East and Africa Division, Global Relations Secretariat OECD

**Interventions:**
- Rym Ayadi, Director, Euro-Mediterranean Network for Economic Studies (EMNES); Founder and President, Euro-Mediterranean Economists Association (EMEA)
- Majdi Hassen, Executive Director, Arab Institute of Business Leaders (IACE)

Efforts to tackle corruption require the engagement of multiple stakeholders, and companies have a key role to play in upholding integrity. Practical mechanisms and strategies accompanied by strong legal and institutional frameworks are also key. This session will discuss examples of multi-stakeholder initiatives between the private sector, civil society, Governments and international institutions that foster anticorruption practices in the investment process, with the view to provide practical guidance for participants seeking to engage in their own public-private partnerships and sectoral initiatives. Speakers will address the challenges encountered, their achievements, and what remains to be accomplished. In particular, lessons learned from recent innovative experiences of collective action conducted on the ground in Morocco and Egypt will be shared. Reporting mechanisms at high levels of government will also be presented as tools that can provide a constructive approach for companies and governments to deal with bribery solicitation in businesses and investment projects.
Moderation: Diane Pallez, Policy Analyst, Middle East and Africa Division, Global Relations Secretariat, OECD

Speakers:

- **Morocco Confederation of Business Associations (CGEM)**
- **Dr El Sayed Torky**, Senior Advisor, Federation of Egyptian Industries
- **Iaroslav Gregirchak**, Deputy Business Ombudsman, Business Ombudsman Council of Ukraine
- **Omar El Nahry**, Principal, Project Integrity, Office of the Chief Compliance Officer, The European Bank for Reconstruction and Development (EBRD)

### Session 4: Implementing Responsible Business Conduct standards and due diligence to address corruption and promote sustainable investment

The OECD Guidelines for Multinational Enterprises provide non-binding principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards. An important aspect of responsible business conduct is fighting corruption. The objective of this session is to explore how governments from the MED region and elsewhere are integrating RBC standards in domestic policies, with a focus on anti-corruption policies, and putting in place mechanisms to effectively promote and implement them. The role of National Contact Points in countries which have adhered to the OECD Guidelines for Multinational Enterprises will be presented. This session will also explain how companies are integrating RBC standards throughout value chains and the benefits of implementing due diligence with respect to promoting market access and responding to growing international expectations.

Moderation and introductory remarks: Hélène François, Policy Analyst, Investment Division, Directorate for Financial and Enterprise Affairs, OECD

Speakers:

- **Nihel Guiga**, Tunisian National Contact Point, Ministry of Development, Investment and International Cooperation
- **Mariam Boualila**, Moroccan National Contact Point on OECD Guidelines for Multinational Enterprises, Morocco’s Investment and Trade Agency (AMDIE)
- **Majdi Hassen**, Executive Director, Arab Institute of Business Leaders (IACE)

### Session 5: Improving the investment climate through enhanced integrity in public procurement

Public procurement is one of the government activities highly vulnerable to corruption. The financial interests at stake, the volume of transactions and the close interaction between public and private sectors in the award of public contracts all pose risks to integrity. Public
procurement accounts for a large share of economic activity in several MED countries and therefore, solid, reliable, and transparent public procurement practices appear critical for the investment climate overall. This session will discuss how strengthening integrity and transparency in public procurement can make a substantial contribution to reducing the various risks investors. Panellists will share their views on the risks and difficulties they identified in public procurement and discuss challenges and opportunities to promote integrity in this domain building on international good-practices and standards, in particular the OECD Principles for Enhancing Integrity in Public Procurement.

Moderation: Erika Bozzay, Policy Analyst, Public Sector Integrity, Public Governance Directorate, OECD

Speakers:

- MED country
- César Pestana, President of the Board of ESPAP IP, Public Administration National Agency for Shared Services and Public Procurement, Portugal

**13:30-14:00 Conclusions and wrap-up of discussions**

The concluding session will summarise the main findings of the discussions in order to identify concrete recommendations and potential future OECD and EU support. Countries are invited to share their potential needs towards concrete needs in the field of investment and integrity. Main outcomes of the next phase of the Programme will be introduced.

- Michel Marciano, Seconded Senior Blending Facilities Policy Officer, DG Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission (TBC)
- Carlos Conde, Head, Middle East and Africa Division, Global Relations Secretariat OECD

**14:00-15:00 LUNCH BREAK**