

TRAINING PROGRAMME

Strengthening Integrity in the Public and
Private Sectors in the MENA Region

**Reforming and enforcing anti-
corruption legislation**

23-26 November 2015 ♦ IMF Middle East Center
for Economics and Finance, Kuwait City

Organised by & in cooperation with



Background

Corruption, and the perception of corruption, are major obstacles to growth and development.

Preventing corruption in the public and private sectors, including in interactions between public and private sector officials, is an essential element of the collective effort to fight corruption and create a healthy business climate for private sector development in MENA economies.

Objectives

The objective of this training is to present to Government officials and business representatives from the MENA region international good practice and emerging standards for promoting business integrity from OECD countries and other regions, and to develop practical skills necessary for designing and improving business integrity policies back home.

The prime focus of this training will be placed on the reform and enforcement of anti-corruption legislation throughout the MENA region as one of the starting condition for promoting business integrity.

Participants

The training will be targeting the following participants form public institutions:

- Experts from anti-corruption agencies that are involved in reform of anti-corruption legislation and strengthening its enforcement in practice;
- Experts from ministries of justice that are involved in reform of anti-corruption legislation;
- Investigators, prosecutors and other law-enforcement practitioners involved in anti-corruption cases.

The training will also be useful for the representatives of the private sector, and in particular to the business associations from the MENA region that are involved in the public-private dialogue regarding reform and enforcement of anti-corruption legislation in their countries.

Participants from Arab League countries will be invited by the IMF Middle East Center through their contacts in Ministries of Finance and using OECD networks and advice; selection and confirmation of participants by the IMF jointly with the OECD. Trainers will be identified by the OECD.

Venue & Logistics

The IMF Middle East Center for Economics and Finance (CEF) will provide one amphitheatre room for plenary sessions, and two round table rooms for working group sessions. Simultaneous interpretation from English to Arabic is provided in the plenary session room, consecutive interpretation will be provided in the working group rooms.

Lunches are provided on-site, accommodation is provided in a hotel at walking distance from the Center. Visas, travel, accommodation and meals for all participants are provided by the IMF; the OECD will cover the expense of the trainers.

| Time | Session | Training material |
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| MONDAY 23 NOVEMBER (DAY 1) | | |
| 8:30 - 10:00 | Session 1.1: Welcoming Remarks and Course Introduction | |
| | <p><i>Welcoming remarks by organisers</i></p> <ul style="list-style-type: none"> • Mr. Oussama KANAAN, Director, IMF Middle East Center for Economics and Finance ; • Ms. Nicola EHLERMANN, Head of the MENA-OECD Investment Programme, OECD. | <ul style="list-style-type: none"> • Training Programme • Trainers' Bio • List of Participants |
| | <p><i>Keynote speech by UK Ambassador to Kuwait</i></p> <ul style="list-style-type: none"> • H.E. Mr. Matthew LODGE, Ambassador to Kuwait, United Kingdom. | |
| | <p><i>Introduction by trainers:</i></p> <ul style="list-style-type: none"> • Mr. Yukihiko HAMADA, Policy Analyst, Public Sector Integrity, Public Governance, OECD ; • Mr. Drago KOS, Chair of the OECD Working Group on Bribery and former Chair, Commission for the Prevention of Corruption of Slovenia, former President of Council of Europe GRECO ; • Mr. François VINCKE, Lawyer, Vice-Chair, Commission on Corporate Responsibility and Anti-corruption, International Chamber of Commerce. | |
| | <p><i>Self-introduction by participants</i></p> <p>Participants will be invited to introduce themselves, their personal experience and role in the institution they represent, as well as their expectations from the course.</p> | |
| | <p>At the last part of this session, the IMF Center and OECD Secretariat will present the objectives of the course, the agenda and the working rules.</p> <ul style="list-style-type: none"> • Ms. Ohood M. JUMA, Course Administrator, IMF Middle East Center for Economics and Finance ; • Ms. Nicola EHLERMANN, Head of the MENA-OECD Investment Programme. | |
| 10:00 - 10:15 | Coffee Break | |

| 10:15 - 11:45 | Session 1.2 : The Conventional and Legal Environment | |
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| | <p>This session will introduce the key international, regional and domestic anti-corruption instruments (hard law or soft law) as well as implementation/ enforcement mechanisms.</p> <p>Key international instruments (hard law) and enforcement</p> <ul style="list-style-type: none"> - United Nations Convention against Corruption (UNCAC) ; - OECD Convention on Combating Bribery of Foreign Public Officials in International Transactions ; - League of Arab States Anti-Corruption Convention (ACAC). <p>Key international instruments (soft law) issued by non-State entities</p> <ul style="list-style-type: none"> - International Chamber of Commerce ; - United Nations Global Compact ; - World Economic Forum. <p>Selected national anti-corruption instruments from developed and emerging economies</p> <ul style="list-style-type: none"> - Foreign Corrupt Practices Act (United States) and Bribery Act (United Kingdom) ; - Anti-corruption statutes in selected emerging economies and in the MENA region. <p>This session will also introduce how the private sector can get actively involved in fighting corruption, through the different structures which represent it. Acquiring reflexes in the private sector is an essential component, through sustained training and education for the introduction and assimilation of appropriate instruments.</p> <p>Ensuring a solid anti-corruption reflex in business circles and associations</p> <ul style="list-style-type: none"> - Univocal business commitment against corruption ; - Placing anti-corruption in the general corporate social responsibility approach ; - Codes of conduct and compliance programmes, gauged on the individual company’s dimension - large, medium, small and even micro-companies ; - Defining the “business case” of anti-corruption. <p>Organising integrity training for executives, officers and employees</p> | <ul style="list-style-type: none"> - United Nations Convention against Corruption (UNCAC) - OECD Convention on Combating Bribery of Foreign Public Officials (English / Arabic) - Arab Anti-Corruption Convention - US Foreign Corrupt Practices Act (English / Arabic) - UK Bribery Act - OECD Compilation of Recommendations in Phase 3 - UNCAC Reviews of implementation in MENA countries - Overview of legal statutes of anti-corruption in MENA countries - OECD Integrity Scan of Tunisia |

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| 11:45 - 12:00 | Noon Prayer Break | |
| 12:00 - 13:30 | Session 1.3 : Thematic Groups | |
| | <p>Participants will be split into working groups and will address the following themes:</p> <ul style="list-style-type: none"> • Theme 1 : <i>Assessing the efficiency and deficiency of instruments reviewed</i> • Theme 2 : <i>Raising levels of overall awareness in the population, business and government circles</i> <p>Each group will appoint a rapporteur to report to plenary.</p> | |
| 13:30 - 14:00 | Lunch Break | |
| 14:00 - 15:30 | Session 1.4 : Wrap-up Session & Recommendations | |
| | <p>During the wrap up session, the working groups will be invited to report about their discussions and findings, and the trainers will be invited to provide their feedback and guidance regarding steps necessary to further reform anti-corruption legislation in the MENA countries. The participants will then be invited to formulate recommendations for their countries.</p> <p>Reporting from working groups to the plenary.</p> <p>Feedback by trainers.</p> <p>Recommendations: <i>Improving anti-corruption legal frameworks in support of promote business integrity in the MENA region.</i></p> | |

| TUESDAY 24 NOVEMBER (DAY 2) | | |
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| 8:30 - 9:00 | Morning Exercise | |
| | Trainers will invite all participants to name one new issue they have learned in the first day and will record the main ideas on the board/computer. | |
| 9:00 - 10:00 | Session 2.1 : Role of Public Authorities | |
| | <p>This session will focus on the necessary preconditions that need to be put in place by the public authorities in order to create a context that would favour the success of anti-corruption measures as well as the implementation of anti-corruption legislations. Anti-corruption laws need to be adapted to the specific needs of each country: in the MENA region, the importance of the public sector needs to be taken into account. Other general conditions such as judiciary independence, autonomous anti-corruption agencies, and freedom of speech, are fertile ground for anti-corruption legislations to be effective.</p> <p>Implementing legislation and regulation adapted to country needs</p> <ul style="list-style-type: none"> - International conventional standards ; - Regional standards ; - Defining the territorial extension. <p>Ensuring independence of the judiciary and access to justice</p> <ul style="list-style-type: none"> - a free and non-corrupt judiciary ; - a judiciary with sufficient means ; - a judiciary whose decisions are followed up. <p>Establishing autonomous national anti-corruption agencies</p> <ul style="list-style-type: none"> - Financial and functional independence ; - Mandates. | <ul style="list-style-type: none"> - UN Convention Against Corruption - OECD Convention on Combating Bribery of Foreign Public Officials - Council of Europe Convention on Corruption - OECD Recommendation on Improving Ethical Conduct in the Public Service - UNODC Bangalore Principles on Judicial Conduct |
| 10:00 - 10:15 | Coffee Break | |

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| 10:15 - 11:45 | Session 2.2 : Role of Public Authorities | |
| | <p>Enhancing public sector integrity</p> <ul style="list-style-type: none"> - Corruption risk assessment and management tools ; - Codes of conduct and conflict of interest in the public sector. <p>Enhancing free expression and access to information</p> <ul style="list-style-type: none"> - Transparency in the public sector ; - Whistle-blowing protection in the public sector. <p>Education: training civil servants on integrity</p> | <ul style="list-style-type: none"> - OECD Guidelines for Managing Conflict of Interests in the Public Service - OECD Principles for Transparency and Integrity in Lobbying - OECD Presentation on whistleblower protection - OECD Recommendation on Public Procurement - Ethics Training for Public Officials |
| 11:45 - 12:00 | Noon Prayer Break | |
| 12:00 - 13:30 | Session 2.3 : Thematic Groups | |
| | <p>Participants will be split into working groups and will be invited to discuss specific questions regarding the conception and the enforcement of anti-corruption legislation in the MENA countries.</p> <ul style="list-style-type: none"> • Theme 1 : <i>What national legislation is required, and for what territorial jurisdiction ?</i> • Theme 2 : <i>How efficient is a national anti-corruption agency in combating corruption ?</i> • Theme 3 : <i>What framework for an appropriate education programme on anti-corruption ?</i> <p>Each group will appoint a rapporteur.</p> | <ul style="list-style-type: none"> - Transparency International: Global Corruption Barometer |
| 13:30 - 14:00 | Lunch Break | |
| 14:00 - 15:00 | Session 2.4 : Wrap-up Session & Recommendations | |
| | <p>Working groups will be invited to report about their discussions and findings, and the trainers will be invited to provide their feedback and guidance regarding steps necessary to further strengthen the</p> | |

enforcement of anti-corruption legislation in the MENA countries. The participants will then be invited to formulate recommendations for their countries on further strengthening the enforcement of anti-corruption laws to promote business integrity.

Reporting from working groups to the plenary

Feedback by the trainers

Recommendations: Strengthening the enforcement of anti-corruption legislation in support of business integrity in the MENA region.

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| WEDNESDAY 25 NOVEMBER (DAY 3) | | |
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| 8:30 - 10:00 | Session 3.1 : Introducing the ICC RESIST ethical dilemmas | |
| | <ul style="list-style-type: none"> • Leader: Iohann LE FRAPPER, Vice-Chair, ICC Commission on Anti-Corruption <p>This session will introduce how the private sector can get actively involved in fighting corruption, through the different structures which represent it. Acquiring reflexes in the private sector is thus an essential component, through the introduction and assimilation of appropriate instruments thanks to sustained training and education.</p> <p><i>Ensuring a solid anti-corruption reflex in business federations</i></p> <ul style="list-style-type: none"> - Univocal business commitment against corruption ; - Placing anti-corruption in the general corporate social responsibility approach ; - Codes of conduct and compliance programmes, gauged on company dimensions (large, medium, small and micro-companie) ; - Defining the “business case” of anti-corruption. <p><i>Organising integrity training for executives, officers and employees</i></p> | <ul style="list-style-type: none"> - RESIST: Resisting Extortion and Solicitation in International Business Transactions (English / Arabic) |
| 10:00 - 10:15 | Coffee Break | |
| 10:15 - 11:45 | Session 3.2 : Role of the Business Community | |
| | <p><i>Developing adequate instruments for the prevention of corruption</i></p> <ul style="list-style-type: none"> - Performing the right risk assessment/evaluation ; - Establishing effective ethics and compliance functions alongside audit and legal functions ; - Ensuring ethics and compliance officers an effective role in companies’ governance ; - Learning how to resist solicitation ; - Defining conflict of interest to be avoided or at least disclosed ; - Using due diligence in selecting agents, intermediaries and other third parties ; | <ul style="list-style-type: none"> - OECD Guidelines on ethics, compliance and internal control - OECD Guidelines on conflict of interest |

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| | – Defining best techniques for alert or whistle-blowing systems in enterprises. | |
| 11:45 - 12:00 | Noon Prayer Break | |
| 12:00 - 13:30 | Session 3.3 : Thematic Groups | |
| | <p>Participants will be split into 3 working groups. They will be invited to analyse how anti-corruption measures can be taken and implemented by private companies:</p> <ul style="list-style-type: none"> • Theme 1 : <i>How can companies in the MENA region implement instruments reviewed ? How to make such instruments fit in a company's supply chain ?</i> • Theme 2 : <i>Can whistle-blowing be used efficiently in the MENA region ?</i> • Theme 3 : <i>Implementing due diligence in complex relations</i> <p>Each group will appoint a rapporteur.</p> | |
| 13:30 - 14:00 | Lunch Break | |
| 14:00 - 15:00 | Session 3.4 : Wrap-up Session & Recommendations | |
| | <p>Working groups will be invited to report about their discussions and findings, and trainers to provide feedback and guidance. Participants will be invited to formulate recommendations to promote business integrity.</p> <p>Reporting from working groups to the plenary.</p> <p>Feedback by the trainers.</p> <p>Recommendations: <i>Introducing and enforcing effective responsibility of companies for corruption in support of business integrity in the MENA region.</i></p> | |

| THURSDAY 26 NOVEMBER (DAY 4) | | |
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| 8:30 - 10:00 | Morning Exercise | |
| | Trainers will invite all participants to name 1 main issue they have learned in the third day and will record the main ideas on the board. | |
| 9:00 - 10:00 | Session 4.2 : Interactions between Public and Private Sectors | |
| | <p>During this session the trainers will present the different ways the public sector and the private sector can cooperate in order to fight corruption. In particular, the concept of collective action will be explained.</p> <p><i>Is there any use for a partnership between the public and the private sector ?</i></p> <ul style="list-style-type: none"> - Self-regulation; - Collective action; - Public incentives for private action. <p><i>Individual action vs collective action</i></p> | - International Centre for Collective Action Paper "Collective Action and Corruption" |
| 10:00 - 10:15 | Coffee Break | |
| 10:15 - 11:45 | Session 4.2 : Interactions between Public and Private Sectors | |
| | <p><i>Structuring a Collective Action</i></p> <p><i>Creating an area of trust</i></p> <p><i>Internal action and external action</i></p> | |
| 11:45 - 12:00 | Noon Prayer Break | |
| 12:00 - 13:30 | Session 4.3 : Thematic Groups | |
| | <p>Participants will be split into several working groups and invited to work on the following topics:</p> <ul style="list-style-type: none"> • <i>Theme 1 : Selected examples of collective action, including in the MENA region</i> | |

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| | <ul style="list-style-type: none"> • Theme 2 : Which additional sanctions and incentives to promote business integrity ? • Theme 3 : Desired interaction between public and private sectors <p>Each group will appoint a rapporteur.</p> | |
| 13:30 - 14:00 | Lunch Break | |
| 14:00 - 14:30 | Session 4.4 : Wrap-up Session & Recommendations | |
| | <p>During the wrap up session, the working groups will be invited to report about their discussions and findings, and the trainers will be invited to provide their feedback and guidance. The participants will then be invited to formulate recommendations for their countries.</p> <p>Reporting from working groups to the plenary.</p> <p>Feedback by the trainers.</p> <p>Recommendations: Additional sanctions and incentives in support of integrity in the MENA.</p> | |
| 14:30 - 15:00 | Session 4.5 : Evaluation | |
| | <p>Oral feedback from participants: What were the most useful results for you from this training ? How will you use the newly acquired knowledge in practice during the next year ? What would you like to learn next time ?</p> <p>Certificates and photos: The IMF Center will award participants with certificates confirming their participation in the training course and photos to trainers to thank them for their contribution.</p> <p>Anonymous evaluation questionnaire.</p> | <ul style="list-style-type: none"> - Certificates - Evaluation questionnaires |

About the OECD and the MENA-OECD Investment Programme



The **Organisation for Economic Co-operation and Development (OECD)** is a unique forum where 34 member governments work together to address the economic, social and environmental challenges of globalisation. The OECD is also at the forefront of efforts to understand and help governments address emerging policy issues such as finding new sources of growth, building skills, and restoring public trust in government and business. The OECD provides a setting where governments can compare policy experiences, seek answers to common problems, identify good practice and work to co-ordinate domestic and international policies. It increasingly engages with a number of non-members who have become important actors in today's global economy.

More information on: www.oecd.org



The **MENA-OECD Investment Programme** was launched in 2005 at the request of Middle East and North African (MENA) governments to support investment policy reforms for growth and employment in the region. Today, the Programme convenes representatives of these 18 MENA governments (Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestinian Authority, Qatar, Saudi Arabia, Tunisia, United Arab Emirates and Yemen), OECD member countries and emerging economies to exchange good practices in a wide range of policy areas, leveraging the OECD model of policy dialogue and peer learning. It provides a platform for dialogue with civil society, the business community and academia to collectively identify priority business climate reforms and support their implementation.

Find more at: www.oecd.org/mena/investment

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