



# Public and private sectors' alliances in the fight against corruption in MENA and GCC countries

## Agenda

**7-10 January 2019**

IMF Centre  
Kuwait

## Background

Corruption takes many forms, among them bribery and money laundering. Corruption distorts markets and has a negative impact on society as a whole, in both the developing and the developed world. Corruption also contributes to environmental damage, health and safety problems, economic instability and human rights violations by diverting scarce resources, both financial and human. It erodes confidence in public institutions and deprives citizens of capital needed for economic growth.

Corruption is also an offence which has the potential to affect multiple sectors and requires public and private sectors to interact and join their actions and perspectives. In the Middle East and North Africa (MENA) region in particular, there is a clear demand in building stronger anti-corruption frameworks that facilitate tri-partite (public, private, civil society) oversight and ownership of anti-corruption efforts.

Since efforts to tackle corruption require the engagement of multiple stakeholders, the Organisation for Economic Co-operation and Development (OECD) builds and works with governments, public institutions and civil society to advocate for a stronger and more effective anti-corruption environment. In particular, the OECD works to create a level playing field at the highest possible standard of ethics and good practices. By promoting its [Good Practice Guidance on Internal Controls, Ethics and Compliance](#) as part of its anti-bribery instruments,<sup>1</sup> the OECD assists countries in the development and implementation of anti-corruption programmes and encourages them to enter into alliances with companies and business associations with a view to promote more robust anti-corruption behaviour. The OECD also trusts the role of anti-money laundering mechanisms (AML) in fighting corruption, especially when the public and private sectors are able to interact and join their forces and capacities.

Alliances between the public and private sectors are particularly needed and relevant when they are featured to address prominent risks in a country or a given region. In the MENA region, corruption is a very multifaceted and continuously evolving phenomenon that requires innovative responses from the society as a whole. At the same time, collective actions<sup>2</sup> between public and private sectors in the region remain sporadic and are rarely sustainable.

In the context of this training session, the OECD proposes to explore how two prominent corruption risks in the MENA region can be addressed and managed in initiatives that bring the public and private sectors closer.

First, corruption and money laundering are inextricably linked. There has been a growing recognition of the interconnectivity of the two offenses, including in the MENA region, as well as the need for incorporating anti-corruption policy measures in anti-money laundering (AML) strategy and their enforcement. In that context, there has been many experiments of collaborative and sustained process of cooperation among relevant stakeholders in the fight against corruption and money laundering. In this training session, the OECD proposes to review some of them and how they could be replicated in the MENA region and could inspire new policy approaches;

Second, bribery solicitation by public officials as well as other forms of unfair treatment to businesses<sup>3</sup> are widespread around the world and in MENA countries in particular. In 2013, the

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<sup>1</sup> See in particular the [OECD Anti-Bribery Convention](#).

<sup>2</sup> The World Bank Institute describes anti-corruption Collective Action as “a collaborative and sustained process of cooperation amongst stakeholders. It increases the impact and credibility of individual action, brings vulnerable individual players into an alliance of like-minded organizations and levels the playing field between competitors.”

<sup>3</sup> Examples of this are numerous. They include for instance restrictive terms of reference that in practice lead to the participation of a single competitor in a public tender, beyond what would be reasonably required from a technical perspective; request of bribery as a precondition for participation or selection in a public tender; undue

G20 adopted [Guiding Principles to Combat Solicitation](#), encouraging the establishment of “high level reporting mechanisms to address allegations of solicitation of bribery by public officials”. This was intended to bring together the public and the private sectors to tackle bribery solicitation from the demand side. Following this, the OECD, the Basel Institute on Governance and Transparency International developed the High Level Reporting Mechanism (HLRM)<sup>4</sup>. This Mechanism is designed to address bribery solicitation, suspicious behaviour and other similar concerns at the national level and thereby prevent corrupt practices. HLRM is an in-country process for receiving, assessing, and quickly resolving complaints from companies confronted with bribery solicitation or other similar concerns in specific administrative processes or public projects. The primary purpose is to provide an early and independent point of recourse to companies and to propose, wherever possible, a ‘quick fix’ before the situation escalates. Examples of such mechanisms will be presented in the training course. Potential for developing such arrangements in the MENA region will also be explored.

### *Joining anti-corruption and anti-money laundering efforts: the role of collective action*

Issues of particular importance to the OECD’s fight against corruption in the financial industry are corporate governance (management of conflicts of interest and undue influence) and stemming the flow of the proceeds of corruption (money laundering). Considering the significance of the financial sector to the overall economy and to the MENA region in particular, its role in the fight against corruption is core and very crucial. Participants in the training will benefit from the input and expertise from representatives from the [MENA Financial Crime Compliance Group](#) (MENA FCCG) that is a voluntary body that seeks to bring collective action in the fight against money laundering and terrorist finance in the region. Banks active in the MENA region will also bring their perspectives on the importance of joint actions in the fight against financial crimes, including corruption and on the need for more coherent anti-corruption and anti-money laundering policies. Some Financial Intelligence Units will voice their opinion and experiences in this area.

### *Corruption: supporting good business practices and reporting of wrongdoings*

If it is vital to involve the private sector in the prevention of corruption through good business practices, it is also essential to encourage companies to report when irregularities arise, including in public procurement or contract negotiations involving the public sector. In the case of public-private alliances, the concept of HLRM was developed in response to private sector concerns over the absence of quick and effective mechanisms for addressing bribe solicitation by some public officials in certain markets. Such a mechanism is a way for governments to demonstrate their high-level commitment to integrity standards in by creating simple procedures for the private sector and/or other actors to raise and quickly resolve alerts about suspected bribery or unfair business practices, in public tenders especially.

Reporting mechanisms at high levels of government are a tool that can provide a constructive approach for companies and governments to deal with bribery solicitation; improve the prospects for foreign direct investment; create trust and transparency for business; be adapted to different legal or institutional contexts, making it a swift and flexible method to obtain practical results. These factors provide strong incentives for governments and companies to use high-level reporting mechanisms. The

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delay in customs clearance of perishable and other goods; obstacles imposed for the concession of technical certificates and other documents required to participate in tender procedures, etc.

<sup>4</sup> The HLRM is also closely aligned with the [OECD Recommendation of the Council on Public Integrity](#) (2017). The Recommendation invites governments to promote a systemic approach to counter corruption and foster public integrity systems through the engagement of relevant stakeholders from civil society and the private sector, which is at the core of the HLRM. It also emphasises the importance of involving the highest political and management levels of the public sector in the fight against corruption.

participants in this course will hear about the implementation of an anti-corruption reporting mechanism in Ukraine. With setting up of [Business Ombudsman Council](#), Ukraine has taken a major step forward towards the improvement of its investment climate. Business Ombudsman Council is meant to be the first point of contact for companies seeking redress against unfair treatment. The new institution provides for greater transparency of business practices in Ukraine. The OECD and the Basel Institute on Governance will present alternative experiences of HLRM with a view to show the potential for such mechanisms in the MENA region.

### **Objectives of the meeting**

This seminar aims to facilitate the exchange of practical experiences and good practices among experts from Financial Intelligence Units (FIUs), Anti-corruption agencies or equivalent public bodies, all working to fight corruption and money laundering in the MENA region. The training session will include expert presentations, working groups where participants will be required to work in smaller assemblies and plenary discussions on best practices. Seminar topics will include:

- The challenges of corruption and money laundering and the relevance of collective actions that involve public and private sectors in innovative partnerships;
- Discuss initiatives to address the challenges of bribery solicitation in the MENA region;
- Explore the principles underlying the High-Level Reporting Mechanisms (HLRM) and the possibility to replicate such mechanisms in the MENA region.

At the end of the event, participants will be invited to consider potential follow-up events/activities for anti-corruption practitioners from the MENA region. Further activities could include seminars with a more in-depth focus on one or more of the above issues, including the participation in future regional and global events. Participants could also suggest activities that could be implemented within the region. Participants will also be invited to voice their interest in working with the OECD and the Basel Institute on Governance to possibly develop HLRM that fit their needs and policy priorities.

### **Participants**

The seminar is for FIUs and anti-corruption agencies experts from MENA and GCC countries. Other relevant competent authorities that might have a role in detecting and reporting corruption are also invited.

### **Meeting Venue and Logistics**

The IMF training centre will provide one amphitheatre room for plenary sessions, and up to four 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 and accommodation in a hotel are also provided on-site.

<b>IMF-Middle East Centre for Economics and Finance (CEF)</b> <b>OECD</b>  <b>Public and private sectors' alliances in the fight against corruption in MENA and GCC countries</b>  <b>Kuwait City, 7 – 10 January 2019</b> <b>Course Program</b>	
<b>Monday, 7 January 2019</b>  <b>DAY ONE: Joining anti-corruption and anti-money laundering efforts in a coherent policy approach</b>	
<b>08:30 – 09:00</b>	<b>Registration, Administrative Briefing</b>
	<i>Course Administrator</i>
<b>09:00 – 09:45</b>	<b>Welcoming remarks and course introduction</b>
	<p><b>Welcoming remarks by organisers</b></p> <ul style="list-style-type: none"> <li>• <b>Dr. Lahcen Achy</b>, Deputy Director, IMF Middle East Centre for Economics and Finance [TBC];</li> <li>• <b>Ms. Catherine Marty</b>, Legal Analyst, OECD Anti-Corruption Division.</li> </ul>
	<p><b>Round Table Introduction by co-chairs, trainers, and participants</b></p> <p>Co-chairs, trainers, and participants will be invited to introduce themselves, their personal experience and role in the institution they represent, as well as their expectations for the course.</p> <p><b>Course Objectives</b></p> <p>The IMF Centre and OECD Anti-Corruption Division will present the course objectives and agenda.</p>
<b>09:45-10:15</b>	<b>Group Photo and Coffee Break</b>
<b>10:15-10:45</b>	<b>L.1 The Money Laundering and Corruption Nexus</b>
<p><b>Moderator:</b> <i>Mr. Irfan A. Ahmed, Head Anti Financial Crime, National Bank of Kuwait</i></p>	<ul style="list-style-type: none"> <li>• <b>Mr. Abdeljabbar Moukrim</b>, Head of Legal Department, Financial Intelligence Unit, Morocco</li> <li>• <b>Dr. Haytham Yasin</b>, Special Investigation Commission (SIC), Lebanon</li> </ul> <p>Corruption and money laundering are closely linked. Corruption offences generate significant amounts of proceeds that need to be laundered. At the same time, corruption may facilitate money laundering: corrupt officials may influence the process by which proceeds are laundered and enable launderers to escape all controls and sanctions. These phenomena will be discussed in this session, together with both the detection and deterrent roles of anti-</p>

	<p>money laundering mechanisms in the fight against corruption. Discussion will also take place on how efforts to combat money laundering and corruption are intrinsically linked and have the potential to be mutually reinforcing, especially when public and private sectors join their forces. The “Egmont Group Corruption Indicators” recently endorsed by the Egmont Group will also be presented.</p>
<b>10:45-11:40</b>	<b>L.2 For a More Coherent Approach to Fight Corruption and Money Laundering: the Perspective of the Banking Industry</b>
<p><i><b>Moderator:</b> Mr. Abdeljabbar Moukrim, Head of Legal Department, Financial Intelligence Unit, Morocco</i></p>	<ul style="list-style-type: none"> <li>• <b>Mr. Irfan A. Ahmed</b>, Head Anti Financial Crime, National Bank of Kuwait</li> <li>• <b>Mr. Eduardo Rangel</b>, Deputy Head of Group Compliance, ABC Bank</li> </ul> <p>Recognising that the involvement of all facets of society, including the financial services industry, is needed for anti-bribery and corruption efforts to be effective, experts from the banking sector will present their experiences in developing, implementing and maintaining effective and coherent anti-corruption (AC) and anti-money laundering (AML) compliance programmes. Interaction with the public authorities in understanding and addressing the risks of corruption and money laundering will also be discussed.</p>
<b>11:40-11:50</b>	<b>Preparation for Case Studies</b>
	<p>Coordinated by <b>Mr. Simone Rivabella</b>, Legal Analyst, OECD Anti-Corruption Division.</p> <p>The OECD Anti-Corruption Division will present and explain how daily break-out sessions are organised.</p>
<b>11:50-12:00</b>	<b>Noon Prayer Break</b>
<b>12:00 – 13:15</b>	<b>L.3 – Make the Fight Against Corruption and Money Laundering More Convergent and Complementary: a Case Study</b>
<p><i><b>Case study</b></i></p>	<p>Participants will be split into four groups to work on a case study. Trainers will facilitate the break-out sessions. Each working group should choose a rapporteur to present its discussions to the Plenary during the afternoon session.</p>
<b>13:15-14:00</b>	<b>Lunch Break</b>
<b>14:00-15:20</b>	<b>Report-back to Plenary</b>
	<p>Moderated by <b>Mr. Simone Rivabella</b>, Legal Analyst, OECD Anti-Corruption Division.</p> <p>Rapporteurs from the working groups will be invited to report on their discussions and findings. Trainers will provide their feedback and</p>

	guidance regarding possible steps to further merge the efforts to fight against corruption with the AML policies.
<b>15:20-15:30</b>	<b>Closing remarks day one</b>

<b>Tuesday, 8 January 2019</b>	
<b>DAY TWO: Joining anti-corruption and anti-money laundering efforts: the role of collective action</b>	
<b>09:00– 09:15</b>	<b>L.4 - Anti-Corruption and Anti-Money Laundering: a Need for Partnership Between Public and Private Sectors</b>
	<ul style="list-style-type: none"> <li>• <b>Ms Catherine Marty</b>, Legal Analyst, OECD Anti-Corruption Division</li> </ul> <p>This session will explore the need for stronger and more systematic multi-stakeholder partnerships to reduce corruption and bribery, as well as addressing illicit financial flows.</p>
<b>09:15– 10:30</b>	<b>L.5 – Make the Public and Private Sectors Working Together in the Fight Against Money Laundering</b>
<p><b>Moderator:</b> <i>Mr. Irfan A. Ahmed, Head Anti Financial Crime, National Bank of Kuwait</i></p>	<ul style="list-style-type: none"> <li>• <b>Mr. Abdeljabbar Moukrim</b>, Head of Legal Department, Financial Intelligence Unit, Morocco</li> <li>• <b>Mr. Eduardo Rangel</b>, Deputy Head of Group Compliance, ABC Bank</li> </ul> <p>This session will explore examples of AML multi-stakeholder initiatives that have worked well. Speakers will also explore challenges and prerequisites for successful public and private alliances in the fight against money laundering.</p>
<b>10:30-10:45</b>	<b>Coffee Break</b>
<b>10:45– 11:30</b>	<b>L.6 – The Experience of Fighting Corruption Collectively</b>
<p><b>Moderator:</b> <i>Dr. Haytham Yasin, Special Investigation Commission (SIC), Lebanon</i></p>	<ul style="list-style-type: none"> <li>• <b>Ms. Gemma Aiolfi</b>, Head of Compliance and Corporate Governance / Collective Action, Basel Institute on Governance</li> <li>• <b>Ms. Sanaa Chquiry</b>, the General Confederation of Moroccan Enterprises (CGEM), Morocco</li> <li>• <b>Mr. Qusay Salama</b>, Project Director, Integrity Network Initiative, Egyptian Junior Business Association</li> <li>• <b>Mr. Eduardo Rangel</b>, Deputy Head of Group Compliance, ABC Bank</li> </ul>

	<p>In this session, experts will provide examples of existing multi-stakeholders initiatives in the fight against corruption and their related tools, address the possible challenges encountered and describe the effective outcome of the actions. Panellists will further distil ideas and techniques from best practices, offering a selection of valuable insights to the participants.</p>
<b>11:30– 11:45</b>	<b>L.7 – MENA-OECD Business Integrity Network: The Promotion of Public-Private Dialogue</b>
	<ul style="list-style-type: none"> <li>• <b>Ms. Diane Pallez-Guillevic</b>, Policy Analyst, Middle East and Africa Division, Global Relations Secretariat, OECD.</li> </ul> <p>The MENA-OECD Business Integrity Network (MOBIN) has operated as a bridge between the OECD and the MENA region since 2011. It has held events for practitioners and policy makers on issues related to anti-corruption integrity systems, effective enforcement methods and the adoption of robust national legal and institutional frameworks against corruption. In its 2018 meeting, the MOBIN brought together key anti-corruption policy-makers in MENA and OECD countries. The meeting promoted clean business and fair market conditions in the MENA region by supporting an anti-corruption policy framework that includes a strong and effective public-private dialogue dimension. Participants supported the proposal to develop a questionnaire to collect information on ongoing public-private dialogues in the MENA region. The questionnaire was shared with a large audience in October 2018. This process of consultation and interaction will be presented in this session.</p>
<b>11:45 – 12:00</b>	<b>Noon Prayer Break</b>
<b>12:00 – 13:00</b>	<b>L.8 - Speed dating</b>
	<p>Coordinated by <b>Mr. Simone Rivabella</b>, Legal Analyst, OECD Anti-Corruption Division.</p> <p>Delegates will have the opportunity to have a quick bi-lateral meeting with other delegates to find out about the authorities in other countries that work on corruption cases and to establish personal contacts that can be useful in cross-border cases.</p>
<b>13:00- 14:00</b>	<b>Lunch Break</b>
<b>14:00–15:10</b>	<b>L.9 - Building Alliances to Fight Corruption and Money Laundering: a Case Study</b>
	<p>Coordinated by <b>Mr. Simone Rivabella</b>, Legal Analyst, OECD Anti-Corruption Division.</p>



<b>Case study</b>	Following a brief introduction by the OECD Anti-Corruption Division, participants will be split into four groups to work on a case study. Trainers will facilitate the break-out sessions. Each working group should choose a rapporteur to present its discussions to the Plenary during the afternoon session.
<b>15:10-16:00</b>	<b>Report-back to Plenary</b>
	Rapporteurs from the working groups will be invited to report on their discussions and findings. Trainers will provide their feedback and guidance on the topics discussed.
<b>16:00-16:10</b>	<b>Closing remarks day two</b>

<b>Wednesday, 9 January 2019</b>	
<b>DAY THREE: The Challenges of Bribery Solicitation</b>	
<b>09:15: 09:30</b>	<b>L.10 – Bribery Solicitation: a High Risk</b>
	<ul style="list-style-type: none"> <li>• <b>Mr. Simone Rivabella</b>, Legal Analyst, OECD Anti-Corruption Division.</li> </ul> <p>This session will present the risk of bribery solicitation in the MENA region and the challenges of overcoming this phenomenon.</p>
<b>09:30: 10:15</b>	<b>L.11 – Bribery Solicitation: Drawing Solutions?</b>
<p><b>Moderator:</b> <i>Mr. Qusay Salama, Project Director, Integrity Network Initiative, Egyptian Junior Business Association</i></p>	<ul style="list-style-type: none"> <li>• <b>Ms. Gemma Aiolfi</b>, Head of Compliance and Corporate Governance / Collective Action, Basel Institute on Governance</li> <li>• <b>Ms. Gandia Roberston</b>, Legal Advisor, Legal Directorate, OECD</li> <li>• <b>Mr. Iaroslav Gregirchak</b>, Deputy Business Ombudsman, Ukraine</li> <li>• <b>Professor Fawaz Gerges</b>, London School of Economics</li> </ul> <p>Operating in a competitive environment where not everybody plays fair, or facing illicit request from corrupt public officials are just two real world examples that companies experience every day. Despite some progress over the last decade, including law enforcement, solicitation is still a major issue for companies doing business. Provide a constructive approach for companies and governments to deal with bribery solicitation require an innovative approach and alternative solutions that will be explored in this session.</p>
<b>10:15-10:30</b>	<b>Coffee Break</b>
<b>10:30 – 11:45</b>	<b>L. 12 – Bribery Solicitation: the Experience of Businesses</b>

<p><b>Moderator:</b> Ms. Gemma Aiolfi, Head of Compliance and Corporate Governance / Collective Action, Basel Institute on Governance</p>	<ul style="list-style-type: none"> <li>• <b>Mr. Qusay Salama</b>, Project Director, Integrity Network Initiative, Egyptian Junior Business Association</li> <li>• <b>Mr. Abdelmounaim Zaghoul</b>, General Confederation of Moroccan Enterprises (CGEM), Morocco</li> <li>• <b>Mr. Iaroslav Gregirchak</b>, Deputy Business Ombudsman, Ukraine</li> </ul> <p>The Egyptian Junior Business Association works as a channel for Small and Medium Enterprises (SMEs) with the Government to improve the Egyptian Business Environment to be more fertile for SMEs, through tackling the major obstacles that hinder the economy, including bribery solicitation and recommend solutions from the business sector perspective and communicate the outcomes to concerned entities. The General Confederation of Moroccan Enterprises (CGEM) speaks on behalf of its 90,000 direct and affiliated members and works to ensure a more favorable business environment for business development. The Deputy Business Ombudsman will present how the reporting mechanism put in place in Ukraine impacts business practices.</p>
<p><b>11:45 – 12:00</b></p>	<p><b>Noon Prayer Break</b></p>
<p><b>12:00 – 13:00</b></p>	<p><b>L. 13 – Facing a Situation of Bribery Solicitation : a Case Study</b></p>
<p><b>Case study</b></p>	<p>Coordinated by <b>Mr. Simone Rivabella</b>, Legal Analyst, OECD Anti-Corruption Division.</p> <p>Following a brief introduction by the OECD Anti-Corruption Division, participants will be split into four groups to work on a case study. Trainers will facilitate the break-out sessions. Each working group should choose a rapporteur to present its discussions to the Plenary during the afternoon session.</p>
<p><b>13:00- 14:00</b></p>	<p><b>Lunch Break</b></p>
<p><b>14:00 – 15:00</b></p>	<p><b>Report-back to Plenary</b></p>
	<p>Rapporteurs from the groups will be invited to report on their discussions and findings. Trainers will provide their feedback and guidance on the topics discussed.</p>
<p><b>15:00-15:10</b></p>	<p><b>Closing remarks day three</b></p>

**Thursday, 10 January 2019**

**DAY FOUR: Guidance for Effective High Level Reporting Mechanisms**

<b>08:45 – 09:30</b>	<b>L.14 – How, and Why, Did the Middle East Fail to Achieve its Potential?</b>
	<ul style="list-style-type: none"> <li>• <b>Professor Fawaz Gerges</b>, London School of Economics</li> </ul> <p>In this session, professor Gerges will discuss with the audience the development challenges faced by MENA countries, including the damage of corruption in the region.</p>
<b>09:30 – 10:30</b>	<b>L.15 – Designing A High Level Reporting Mechanism: the Prerequisites and Conditions for Success</b>
<b>Moderator:</b> <i>Dr. Haytham Yasin, Special Investigation Commission (SIC), Lebanon</i>	<ul style="list-style-type: none"> <li>• <b>Ms. Gemma Aiolfi</b>, Head of Compliance and Corporate Governance / Collective Action, Basel Institute on Governance</li> <li>• <b>Ms. Gandia Roberston</b>, Legal Advisor, Legal Directorate, OECD</li> <li>• <b>Mr. Iaroslav Gregirchak</b>, Deputy Business Ombudsman, Ukraine</li> </ul> <p>This session will explore how to design a High Level Reporting Mechanism, the prerequisite and conditions for success and how the OECD and the Basel Institute on Governance can support the development of such mechanisms in the MENA region.</p>
<b>10:30 – 10:45</b>	<b>L.16 – Informal Reflection on Next Steps</b>
	This is an opportunity to solicit participants' views about the meeting and proposal for possible future activities (further workshops or other activities).
<b>10:45-11:00</b>	<b>Coffee Break</b>
<b>11:00-11:45</b>	<b>Course Evaluation and Closing Session</b>
<b>11:45 – 12:00</b>	<b>Noon Break</b>
<b>12:00-12:15</b>	<b>Final Closing Remarks by Organisers</b>
	<ul style="list-style-type: none"> <li>• <b>Dr. Lahcen Achy</b>, Deputy Director, IMF Middle East Center for Economics and Finance</li> <li>• <b>Ms. Catherine Marty</b>, Legal Analyst, OECD Anti-Corruption Division</li> </ul>
<b>12:15- 13:00</b>	<b>Lunch Break</b>