THE FIGHT AGAINST FOREIGN BRIBERY

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The Working Group on Bribery (WGB)



- Mandate to support and promote the implementation of the OECD Anti-Bribery Convention and related instruments.
 - Entered into force in 1999
 - First and only legally binding international agreement to tackle the 'supply side' of bribery.
- Composed of the 46 Parties to the Convention: 38 OECD members + 8 non-members: Argentina, Brazil, Bulgaria, Croatia, Peru, Romania, Russian Federation, and South Africa.
- 5 Participant countries/countries seeking WGB or OECD accession

OECD Anti-Bribery Convention and the Country Monitoring Process



- Rigorous peer-review monitoring system
- Compulsory for all Parties to the Convention
- Reports adopted by consensus minus one
- All reports are made public

For more information: <u>OECD Anti-Bribery Convention and the</u> <u>Country Monitoring Process</u> and <u>Working Group on Bribery |</u> <u>OECD</u>

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The WGB monitoring process and phases of evaluation

 Evaluates the adequacy of a country's legal framework to fight foreign bribery and implement the Convention

Phase 2

Phase 3

Phase 4

- Examines the structures in place to enforce these laws, assesses countries' application and implementation of the Convention and related instruments, and recommends concrete actions for improvement
 - Focuses on enforcement, cross-cutting issues, and unimplemented recommendations from Phase 2
- Focuses on enforcement and cross-cutting issues tailored to specific country needs, as well as unimplemented recommendations from Phase 3



In cases where there is **continued failure** to adequately implement the Convention, the Working Group may consider any appropriate measures, such as:

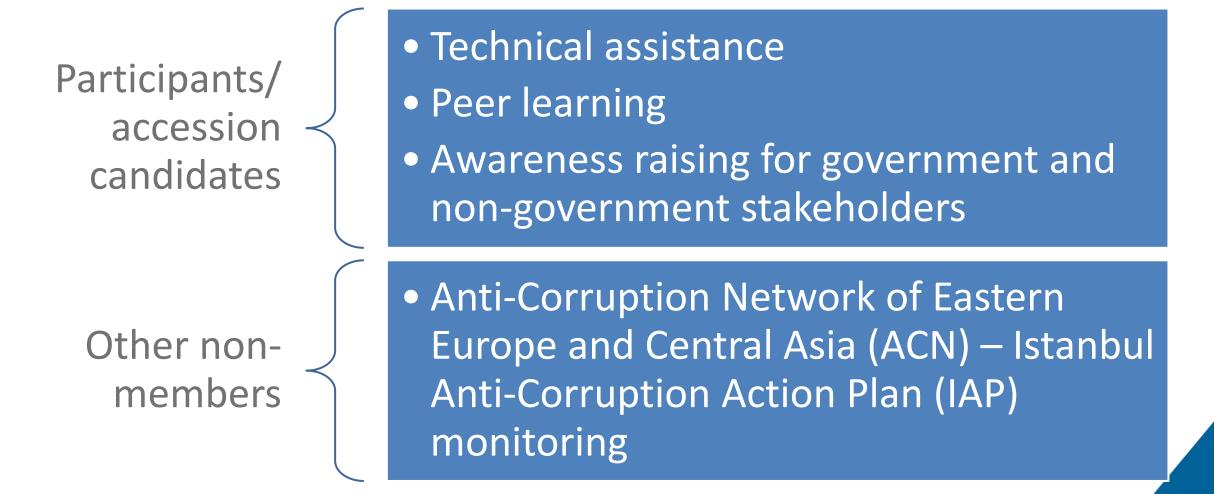
Expedited reporting	Regular progress reports
Letter from the chair	Official letter to ministers or other authorities highlighting concerns
Technical mission	Expert discussions in the evaluated country
High-level mission	WGB delegation meets ministers and senior officials
Public statement	Publicly highlight concerns
Monitoring sub-group	Sub-group reviews progress and engages face-to-face with the Member
Due diligence warning	Advise of need for enhanced due diligence measures by investors

More information: Phase 4 monitoring guide, para. 78.



- Foreign bribery is a crime in the 46 States Parties.
- Important legal and regulatory reforms promoting an all-ofgovernment approach to combating corruption.
- More than 500 entities sanctioned in high-profile cases, leading to lasting change in how businesses behave abroad.

WGB global engagement: Assistance and monitoring



WGB global engagement: Law enforcement and business integrity

	Law enforcement	Business Integrity
Global programmes	Global Law Enforcement Network against transnational corruption (GLEN)	 Business Integrity roundtables Global Initiative to Galvanize the Private Sector as Partners in Combatting Corruption (GPS)
	Global Dialogue of the Working Group on Bribery	
Regional programmes	 Law enforcement networks : Eastern Europe and Central Asia region Asia and the Pacific region Latin America and the Caribbean region Africa region 	 Business integrity networks : Business Integrity Group for Eastern Europe and Central Asia Business Integrity Network for Asia Pacific MENA-OECD Business Integrity Network (MOBIN) (Joint OECD/AfDB Initiative to Support Business Integrity and Anti- Bribery Efforts in Africa)



Enforcement

- Deficiencies in enforcement within member states
- Slow progress in implementation of Working Group recommendations
- Limited legislative reforms
- Limited access to information to monitor the outcome and processes of the countries' anticorruption policies

Stakeholder engagement

- Raising awareness of the risks of foreign bribery and how to manage them
- Engagement with private sector, civil society, international organizations to help hold members accountable

Data and information

- Need for information and data
- New technologies

Emerging issues

- Engaging all major economies
- Corruption in growing industries (e.g., green transition)



www.oecd.org/en/topics/sub-issues/fighting-foreignbribery.html



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