



## International and Regional Anti-Corruption Instruments and Initiatives: OECD Contribution

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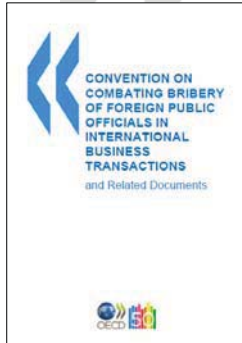
*Second Preparatory Meeting "Promoting Good Governance and  
Combating Corruption in Support of Socio-Economic Development", OSCE  
Dublin, 23-24 April 2012*



## Summary

- OECD Anti-Bribery Convention
- Anti-Corruption Network for Eastern Europe and Central Asia
- Other work on anti-corruption and good governance

## OECD Anti-Bribery Convention



- Entered into force 1999
- 39 States Parties
  - 2/3 world exports (2009)
  - 90% of global outward foreign direct investment
- Focus on active foreign bribery
- Monitoring mechanism

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## Focus on active foreign bribery

- **Article 1: Foreign bribery offence** (*... to offer, promise or give any undue ... advantage... directly or through intermediaries, to a foreign public official... or for a third party...in order to obtain...improper advantage in ... international business*)
- **Article 2: Responsibility of legal persons** (*criminal, civil or administrative*)
- **Article 5: Enforcement** (*shall not be influenced by national economic interests, relations with another state or identity of persons involved*)
- **Other elements:** *sanctions, jurisdiction, statute of limitation, money laundering, accounting, MLA and extradition*
- **Related instruments:** *internal control, tax, export credit, MNEs, bilateral aid*

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## Implementation and monitoring

- Article 12: Monitoring and Follow-up: **Working Group on Bribery**
- Mutual evaluations: peer reviews, functional equivalence and consensus-minus-one
- **Country reports** with recommendations: Phase 1 (legislation), Phase 2 (institutions), Phase 3 (practice)
- Other activities: tour de table, meetings of prosecutors, **global relations, typologies:** *Identification and Quantification of the Proceeds of Bribery; MLA; Intermediaries; Procurement*

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Working Group  
on Bribery  
December 2011



## Results

- From entry into force of the Convention in 1999, to March 2011:
  - Criminal sanction on 199 individuals and 91 entities in 13 Parties
  - 54 prison sentences for individuals
  - A record amount of EUR1.24 billion was imposed in combined fines on a single company
  - 260 investigations are ongoing

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## Anti-Corruption Network for Eastern Europe and Central Asia (ACN)

Since 1998  
for 23 countries  
plus OECD members,  
international  
organisations  
and civil society

*ACN Steering Group  
24 February 2012,  
Paris, France*



## Peer Reviews and Monitoring

### Istanbul Action Plan:

- 8 countries, support to UNCAC
- Reviews (2003-2005)
- 1<sup>st</sup> monitoring round (2005-2008)
- 2<sup>nd</sup> monitoring round (2009-2012)
- 3<sup>rd</sup> round – to be launched in 2013

### Georgian 2nd round

- From 130<sup>th</sup> (2005) to 66<sup>th</sup> rank (2010)
- + Strong sanctions, police reform
- + Admin simplificat., economic liberal.
- Civil service reform
- Political party finance
- Judiciary
- Private sector

Recommendations	Implemented			
	fully	largely	partial	not
<b>Pillar I. Anti-Corruption Policy</b>				
1. Review and update of anti-corruption policy		+		
2. Coordination of anti-corruption policy	+	(+)		
<b>Pillar II. Criminalisation of corruption</b>				
3. Anti-corruption prosecution department		+		
4. Guidelines for exchange of information and cooperation between law-enforcement bodies		+	(+)	
5. Harmonization of criminal, admin. and disciplinary offences	+			
6. Active and passive bribery, gifts, sanctions, statute of limitation		+		(+)
7. Definition of an official		+		(+)
8. Bribery of international and foreign official	+			(+)
9. Confiscation, provisional measures, unexplained wealth		+		
10. Responsibility of legal persons	+			(+)
11. Categories protection by immunities, functional immunity, rules for lifting immunity		+		
12. Mutual legal assistance		+		
<b>Pillar III. Prevention of corruption</b>				
13. Merit based appointments and promotion		+		
14. Practical guidelines, Code of Conduct	+			(+)
15. Civil service regulations and standards, disciplinary actions				+
16. Control of asset declarations		+		(+)
17. Protection of whistleblowers				+
18. Public procurement		+		(+)
19. Access to information legislation		+		(+)
20. Liberalization of business environment	+			
21. Financial intelligence unit	+			

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## Peer Learning and Thematic Studies

- Addressing common challenges and helping implement international standards, e.g. *Glossary of international standards, Studies of Specialised anti-corruption institutions, and Asset declarations for public officials*
- Networking for practitioners, e.g. *seminars for prosecutors, policy experts, judges, private sector consultations*



Seminar on anti-corruption policies and ethics training  
organised jointly by the OSCE and ACN, and hosted by  
Lithuania, March 2011

*follow-up study on ethics training, in cooperation with OSCE*



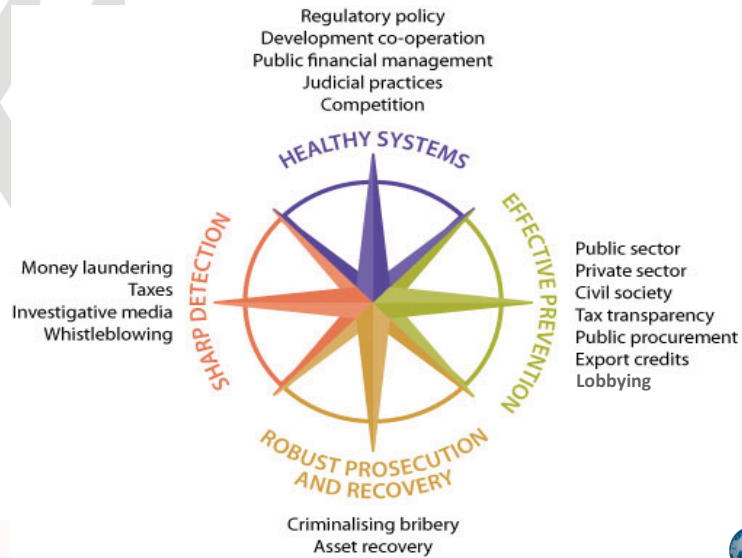
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## Forthcoming ACN events

- Seminar on asset declarations for Central Asian countries, co-organised by the OSCE, UNODC and ACN in Bishkek on 14-15 May 2012
- Seminar on integrity and independence of the judiciary, co-organised by the ACN and GRECO and hosted by the Ministry of Justice of Turkey in Istanbul on 27-28 June 2012
- Seminar for investigators and prosecutors of corruption, hosted by Georgia in Batumi on 27-28 September 2012
- **ACN Steering Group and High Level meeting, 21-23 November 2012, Paris**

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**www.CleanGovBiz.org**  
**Toolkit: 18 pillars, 150 questions**



**Public Sector Integrity:  
OECD principles and publications**

1998: *Principles on Improving Ethical Conduct in the Public Service*

2003: *Guidelines on Managing Conflict of Interest in the Public Service and Toolkit*

2009: *Principles for Integrity in Public Procurement*

2010: *Principles for Transparency and Integrity in Lobbying*

- Integrity Review of Brazil, 2012
- Ministerial Advisors: role, influence and management, 2012



For more information, please visit:

**[WWW.OECD.ORG/CORRUPTION](http://WWW.OECD.ORG/CORRUPTION)**  
**[WWW.OECD.ORG/CORRUPTION/ACN](http://WWW.OECD.ORG/CORRUPTION/ACN)**  
**[WWW.OECD.ORG/GOV/ETHICS](http://WWW.OECD.ORG/GOV/ETHICS)**  
**[WWW.CLEANGOVBIZ.ORG](http://WWW.CLEANGOVBIZ.ORG)**