



The OECD Working Group on Bribery in International Business Transactions

2022 Annual Report

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The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (the Anti-Bribery Convention) is the first and only international anti-corruption instrument focused on the “supply side” of the bribery transaction. By monitoring countries' implementation of the Anti-Bribery Convention and ensuring they uphold their obligations, the OECD Working Group on Bribery is leading global efforts to fight bribery of foreign public officials in international trade and investment. This report serves as an annual update from the OECD Working Group on Bribery that highlights its 2022 activities and achievements.

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Message from the Outgoing Chair

The fight against foreign bribery requires the concerted efforts of a unified front. The OECD Working Group on Bribery plays a vital role in combating an insidious form of corruption by ensuring that its 44 Member countries adhere to the Anti-Bribery Convention and halt the flow of bribes in cross-border business transactions.

The Convention's impact depends on the strength of countries' commitment to its implementation. Over the course of my eight-year term as Chair I have been gratified to observe the Working Group make considerable progress and deliver tangible results. Members have strengthened their anti-corruption laws and increased efforts to investigate, prosecute and sanction the supply of bribes in transnational business dealings. The Working Group's enforcement data is testament to these efforts and indicates that by the end of 2021, over 925 individuals and 675 entities had been sanctioned for foreign bribery and related offences, and over 480 investigations were ongoing. During my tenure, the Working Group also conducted an extensive review of its standards to ensure they continue to respond to new realities and evolving challenges, which led to the adoption of the 2021 Anti-Bribery Recommendation.

In 2022, the Working Group continued to make progress in evaluating Members' performance against the Convention. Five countries underwent Phase 4 monitoring reviews, which assessed the effectiveness of their legal and institutional frameworks for fighting foreign bribery, and 18 countries provided required follow-up reports on steps taken to implement recommendations. The reviews show that Members have made progress in key areas like international co-operation, with several countries reinforcing their legal and policy frameworks to provide quick and effective mutual legal assistance.

Much has been accomplished, but more work lies ahead. I am delighted to welcome Daniëlle Goudriaan as new Chair and have no doubt that under her expert stewardship the Working Group will continue to lead global efforts in the fight against foreign bribery.



Drago Kos

Former Chair of the Working Group on Bribery in International Business Transactions

Message from the Incoming Chair

On 1 January 2023, I had the honour of succeeding Drago Kos as the third Chair of the OECD Working Group on Bribery.

In my capacity as Chair, I have a simple but challenging objective: to support the Working Group on Bribery in ensuring that the Anti-Bribery Convention remains the world's strongest and most impactful mechanism for combating foreign bribery. For this, I will do my best as Chair; but to succeed, we need the full engagement of all Parties to the OECD Anti-Bribery Convention. We must lead by example, together, to ensure the effective enforcement of foreign bribery laws and the full implementation of the only international instrument to tackle this specific form of corruption.

This means, first and foremost, remaining steadfast in our commitment to fight foreign bribery in each of the 44 countries that have joined the Anti-Bribery Convention. Enforcement, while on a gradual year-on-year increase, remains low. Eighteen of 44 Members of the Working Group on Bribery have yet to conclude a foreign bribery case. Many Members have yet to implement recommendations for critical anti-bribery reforms. We must use our 'gold standard' of country monitoring to continue to push for greater progress, while supporting our Members with implementable recommendations, follow-up guidance and support.

We must also remember that the whole of our efforts is greater than the sum of our parts. Our collective experience and expertise, grounded in the Working Group on Bribery's country monitoring reviews, represent a gold mine of data and good practices on combating foreign bribery and corruption. We can and should do more to tap into this richness, developing and sharing it through more and better data, measuring and communicating on the impact of our work, and engaging more strategically with our partners and stakeholders in our shared efforts to combat corruption. I hope that the Working Group on Bribery will be able – despite the complex political and economic context – to increase its engagement with partner governments and stakeholders to address today's structural and emerging challenges to combating foreign bribery, as we committed to do when we adopted the 2021 Anti-Bribery Recommendation.

While there are certainly challenges, it is an exciting time to take over as Chair of the Working Group on Bribery. I look forward to working with our Members, our partners and stakeholders to tackle these challenges, together.



Daniëlle Goudriaan

Chair of the Working Group on Bribery in International Business Transactions

Message from the OECD Secretary-General

The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions is a cornerstone of the OECD's efforts to tackle corruption and build a stronger, fairer global economy. As custodian of the Convention, the OECD Working Group on Bribery leads global efforts in the fight against foreign bribery by ensuring member countries uphold their obligations to prevent, detect and prosecute this crime.

As the world grapples with multiple shocks, including Russia's unprovoked, unjustifiable and illegal war of aggression against Ukraine, the Working Group's role in overseeing the Convention's effective implementation continues to be essential. Corruption can worsen the impacts of economic shocks, reduce the effectiveness of policy responses to those shocks, and undermine public confidence in government institutions. We must therefore remain steadfast in our anti-corruption commitments to support stronger, more resilient rules and institutions for a competitive and dynamic global economy.

The Working Group continues to make progress in its efforts to engage with countries not yet Party to the Convention. In 2022, the Group began discussions with Croatia and Romania to accede to the Convention, welcomed Mauritius and Ukraine as Participants and renewed Saudi Arabia's status in the Group as Participant. The Group pursued its efforts to engage with China, India and Indonesia, and to encourage dialogue on the deleterious effects of corruption on sustainable growth through its regional initiatives in Africa, Asia Pacific, Eastern Europe and Central Asia, Latin America and the Caribbean and the Middle East and North Africa.

During his eight-year term as Chair of the Working Group, Drago Kos provided effective and dedicated leadership, acting as a driving force in ensuring accountability for member countries' implementation of the Convention. During his tenure, Mr. Kos also oversaw an extensive review of the Group's standards to reflect best practices and developments in the global anti-corruption landscape, which led to the adoption of the 2021 Anti-Bribery Recommendation. The Group's new Chair, Daniëlle Goudriaan, is well-positioned to carry this legacy forward.

The effects of corruption are corrosive. It impairs the just distribution of resources, increases inequality, discourages investment, and jeopardises sustainable development. The Convention's effectiveness in tackling corruption depends on signatories maintaining a collective sense of responsibility for fighting bribery and corruption worldwide. Looking forward, I am confident the Working Group will continue to safeguard the Convention's place among the most effective international instruments for combating foreign bribery in international business transactions.



Mathias Cormann
Secretary-General of the OECD

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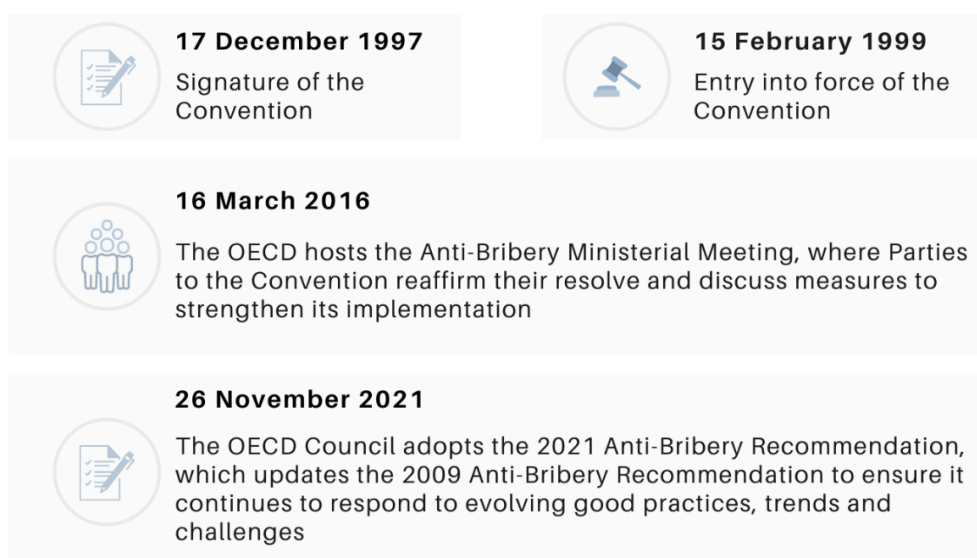
1 The Anti-Bribery Convention and the OECD Working Group on Bribery

The Anti-Bribery Convention

Bribery undermines economic development, distorts markets and raises the cost of doing business. [The Convention on Combating Bribery of Foreign Public Officials in International Business Transactions](#) (Anti-Bribery Convention or Convention) establishes legally binding obligations on Parties to criminalise the bribery of foreign public officials in international business transactions and provides for a host of related measures that make this effective. These include requiring Parties to hold their companies liable, to impose effective, proportionate and dissuasive sanctions, and to provide mutual legal assistance in foreign bribery cases. The Convention is the first and only international anti-corruption instrument focused on the ‘supply side’ of the bribery transaction.

In addition to OECD member countries, the Convention is open to accession by any country that becomes a full participant in the OECD Working Group on Bribery, under the Working Group on Bribery’s accession procedures. To date, 44 countries - the 38 OECD member countries and 6 non-member countries - have [ratified or acceded to the Convention](#).

Figure 1. Key dates



The OECD Working Group on Bribery



The OECD Working Group on Bribery and its Secretariat, December 2022

The [OECD Working Group on Bribery](#), an active group that meets quarterly and is made up of representatives of the Parties to the Convention, monitors Parties' efforts to implement the Convention, the [2021 Anti-Bribery Recommendation](#) (Recommendation) and related instruments, focusing on the prevention, detection, investigation, prosecution and sanction of the bribery of foreign public officials in international business transactions.

The Working Group conducts a peer-review monitoring system in successive phases (described in more detail in Chapter 2). The Working Group's monitoring mechanism has been recognised as "the gold standard of monitoring" and has established the Convention among the most rigorously enforced international anti-corruption instruments.

The Working Group works hard to maintain high standards and develop good practices for preventing and detecting foreign bribery and enforcing foreign bribery laws. It works with non-members, other OECD bodies, international organisations, businesses, and civil society. Its strong network of Law Enforcement Officials meets twice a year on the margins of Working Group meetings to share and develop good

practices and examine issues related to the investigation and prosecution of foreign bribery.

The Working Group frequently meets with civil society representatives and publishes all of its [country monitoring reports](#). It also publishes [public minutes of its meetings](#) and sponsors several outreach events at the OECD.

Box 1. Election of the Working Group on Bribery's new Chair

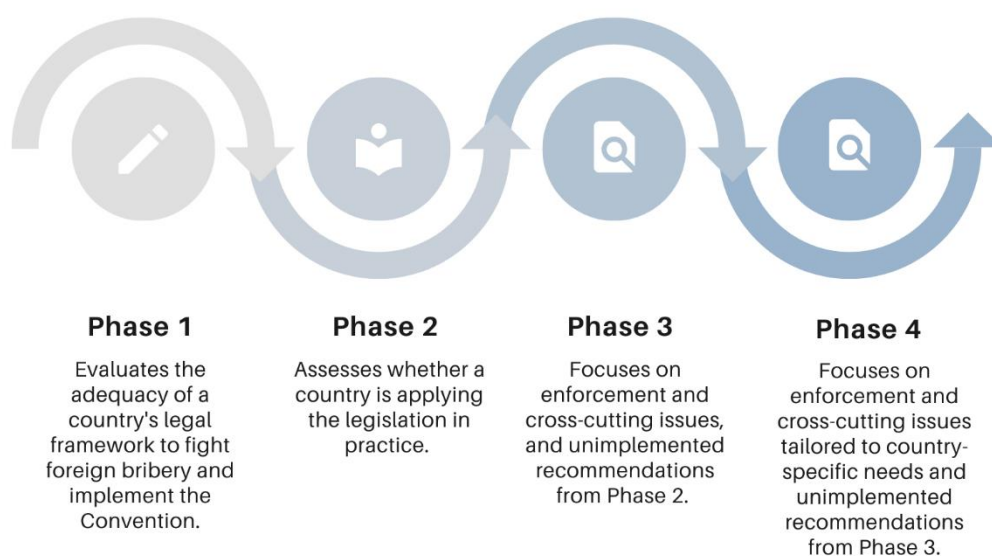
At its March meeting the Working Group on Bribery designated Ms. Daniëlle Goudriaan of the Netherlands to serve as its new Chair. She will lead the Working Group in monitoring the implementation and enforcement of the Convention and related instruments by its 44 Parties, assuming her new role on 1 January 2023.

Ms. Goudriaan is a prosecutor with over 20 years of experience and currently serves as the European Prosecutor for the Netherlands. Prior to joining the European Public Prosecutor's Office, she was the national coordinating prosecutor on corruption in the Netherlands at the Special Prosecutor's Office for Serious Fraud, Environmental Crime and Asset Confiscation. Ms. Goudriaan was previously part of the Dutch delegation to the Working Group, a member of its Management Group and Chair of its biannual meetings of Law Enforcement Officials.

2 Monitoring the Anti-Bribery Convention and Recommendation

The Working Group on Bribery conducts a rigorous monitoring process of Parties' implementation of the Convention, Recommendation, and enforcement of foreign bribery and related laws.

[Monitoring of members' implementation of the Convention and the Recommendation](#) is undertaken by lead examiners from two Working Group member countries and the Secretariat, subject to specific agreed-upon evaluation procedures. Monitoring reports are discussed, negotiated, and adopted by the Working Group at its quarterly meetings. Country monitoring involves a four-phase process:



Phases 2-4 include mandatory on-site visits to the country under evaluation, as well as panels with civil society and the private sector. Phase 4 began in 2016. Countries that became Parties to the Convention at a later date, however, may be at an earlier phase of monitoring (consult the [Working Group on Bribery's Monitoring Schedule 2016-26](#)).

The monitoring process is compulsory for all Parties. The Working Group adopts its monitoring reports under a consensus minus one basis; a country under evaluation therefore cannot veto the findings and recommendations of the final report. All [country monitoring reports](#) containing the Working Group's evaluation and recommendations to the country under review are made public on the Working Group's website, along with a press release.

Following the adoption of a country monitoring report, the Working Group monitors the evaluated country's efforts to implement its recommendations. In the event that the country has not taken adequate action to implement recommendations, the Working Group can employ [additional measures](#). The Working Group also frequently publishes public statements on relevant anti-corruption developments that may affect a Party's implementation of the Convention.

2022 evaluations and reports

In 2022, five countries underwent Phase 4 evaluations: Greece, Italy, Poland, Portugal, and Spain. The Working Group pursued its monitoring work both virtually and in-person.

Argentina, Australia, Bulgaria, Costa Rica, Finland, France, Germany, Hungary, Israel, Japan, Korea, Mexico, the Netherlands, Norway, Peru, Slovenia, Switzerland, and the United States provided follow-up reports.

Phase 4 monitoring

The countries that underwent a Phase 4 evaluation in 2022 - Greece, Italy, Poland, Portugal, and Spain - will provide written follow-up reports in 2024. Greece, Poland, Portugal, and Spain will also provide follow-up reports in 2023. Boxes 1 to 5 below provide an overview of the findings and recommendations from each of these evaluations.

Evaluations were based on legislation, data and other materials provided by the country under evaluation, as well as research conducted by the evaluation team. Information is also obtained during on-site visits, when the evaluation team meets representatives of the country's public and private sectors, media, civil society, and law enforcement, parliamentarians, and academics.

Technical Mission to South Africa

In July, the Working Group undertook a technical mission to Pretoria. The mission focused on the detection, investigation, and prosecution of foreign bribery and featured a dialogue on international best practices between South African law enforcement officials and their counterparts from other Working Group countries. The South African delegation welcomed the positive nature of the mission and will report back to the Working Group on the impact the mission's lessons learnt have had in practice in 2023.

Technical Mission to Japan

In November, the Working Group undertook a technical mission to Tokyo. The mission focused on law enforcement issues and on Japan's ongoing efforts to reform its legislation to increase sanctions for natural and legal persons, to expand its jurisdiction over Japanese companies that engage in foreign bribery outside Japan's territory, and to lengthen its statute of limitations for prosecuting foreign bribery offences. The mission helped share good practices and establish contacts between the Japanese delegation and authorities participating from other Working Group countries.

Box 2. Greece Phase 4 Report

Detection and enforcement of the foreign bribery offence require urgent improvement in Greece. Despite the Convention entering into force over 24 years ago, Greece has no convictions for foreign bribery. In addition, wholesale reform is required to the legislation concerning the liability of legal persons.

Whilst welcoming the efforts made by Greece towards the implementation of the Convention and related instruments, the Working Group made a range of recommendations to improve its capacity to combat foreign bribery, including to:

- Urgently take steps to improve the investigation and prosecution of foreign bribery;
- Address key elements of its legal framework, particularly sanctions against natural persons and the liability of legal persons regime;
- Implement new legislation that provides strong and effective protections from retaliation to whistleblowers who report foreign bribery; and
- Strengthen safeguards to protect foreign bribery proceedings being subject to improper influence by concerns of a political nature.

The report also highlights positive developments, such as the establishment of the National Transparency Authority, and the National Coordinating Body for Audit and Accountability in relation to corruption and other offences, and the availability for the full range of investigative techniques under mutual legal assistance.

Greece provided a written update in March 2023 on issues concerning enforcement following the merger of the specialised Anti-Corruption Prosecutor's Office into the new Economic Crime Prosecutor, the liability of legal persons and whistleblower protection legislation. In March 2024, Greece will submit a written report to the Working Group on the implementation of all recommendations and its enforcement efforts.

[Read the Report](#)

[Read the Press Release](#)

Box 3. Italy Phase 4 Report

Italy has strengthened its legislation and shows a significant level of foreign bribery enforcement with the pace of enforcement increasing since 2011. But a high rate of dismissal in these cases puts at risk the commendable advances it has made, according to a new report by the OECD Working Group on Bribery. Dismissals occur partly because the totality of circumstantial evidence is not considered simultaneously. Onerous proof demanded of the corrupt agreement and of foreign law compounds the problem. To address these issues, Italy should introduce training and legislative amendments where recommended.

The report expresses concerns about Italy's legislation for holding companies accountable for foreign bribery. Corporate fines are so low as to be unfit for purpose. The statute of limitations is much shorter for companies than for individuals. While Italy has commendably introduced whistleblower protection

since Phase 3, protection in the public sector is not yet comprehensive; in the private sector it is even weaker.

In addition to the above recommendations on enforcement and corporate liability, the Working Group also recommends that Italy:

- Develop a comprehensive national strategy to fight foreign bribery
- Better monitor Italian and foreign media for foreign bribery allegations
- Further enhance protection for whistleblowers in the public and private sectors
- Proactively encourage companies to adopt anti-corruption compliance programmes
- Further raise awareness of foreign bribery and the Convention

The report also notes positive developments. The creation of the 3rd Department in the Milan prosecutor's office to tackle foreign bribery signals Italy's commitment to implement the Convention and is a good practice that should be maintained. Substantial investment has been committed to digitise and modernise the judiciary; seeing through these efforts could allow Italy to finally reduce endemic delay in the justice system. Italy has made concerted efforts to strengthen its legal and policy framework for mutual legal assistance and extradition, as well as co-operation between tax and Italian law enforcement authorities. Italy has commendably promoted the Convention, significantly contributed to anti-corruption efforts in multiple international fora and led capacity building programmes.

Italy will report in writing by October 2024 on all recommendations and its enforcement efforts.

[Read the Report](#)

[Read the Press Release](#)

Box 4. Poland Phase 4 Report

Poland needs to urgently address serious deficiencies in its fight against foreign bribery that have been highlighted by the OECD Working Group on Bribery since 2007. Not a single company has ever been investigated or prosecuted for foreign bribery. For individuals, a 2012 conviction remains the only successful prosecution to date. Certain allegations, including those reported in the media, have not been thoroughly investigated or acted upon at all. If applied, the provision allowing the briber to disclose all the substantive circumstances of the crime leaves them unpunished. Protection of whistleblowers is not comprehensive.

In addition to the issues described above, the report expresses serious concerns about judicial and prosecutorial independence in Poland. Many features of Poland's Public Prosecutor's Office are fundamentally incompatible with the principle of prosecutorial independence. Allowing parliament to elect the judges on the National Council of Judiciary leaves the latter and the judiciary as a whole vulnerable to potential political and executive influence. The judiciary's exposure to potential executive influence is increased with the Minister of Justice's expanded role in appointing, disciplining and dismissing judges and court presidents. The longstanding system for seconding judges and prosecutors should be shielded from political and executive influence.

The Working Group has accordingly recommended that Poland:

- Proactively detect, investigate and prosecute foreign bribery
- Protect foreign bribery cases from potential political and executive influence

- Repeal the natural person conviction requirement for corporate liability and investigations
- Eliminate the impunity provision in foreign bribery cases, and
- Swiftly enact whistleblower protection legislation.

The report also notes positive developments. The Central Anti-Corruption Bureau is an active and well-known institution in fighting corruption. Going forward, it can play an important role in fighting foreign bribery if its responsibilities are extended. The General Inspector of Financial Information, the financial intelligence unit, has good working relations with its stakeholders. A legislative amendment has reduced the number of jail sentences that are eligible for suspension. Non-trial resolutions are available in foreign bribery cases. The framework for public procurement debarment as a sanction for foreign bribery is largely sound. The statute of limitations against natural persons for investigating and prosecuting foreign bribery appears adequate. A Central Register of Actual Beneficiaries is well-known and is used by government authorities and the private sector alike.

Poland will report to the Working Group in December 2023 on its implementation of key recommendations, and in December 2024 on all recommendations and its enforcement efforts.

[Read the Report](#)

[Read the Press Release](#)

Box 5. Portugal Phase 4 Report

Since the OECD Anti-Bribery Convention entered into force over 20 years ago, Portugal has not had a single foreign bribery conviction.¹ Detection remains low and Portuguese authorities prematurely closed foreign bribery cases without investigating relevant allegations thoroughly and proactively, with the number of cases terminated having increased significantly compared to Phase 3. Notwithstanding recent reforms, Portugal has not addressed longstanding Working Group concerns regarding its legal framework, and sanctions for foreign bribery against natural and legal persons do not appear to be effective, proportionate or dissuasive.

Whilst welcoming efforts and measures undertaken by Portugal to implement the Convention and related instruments, the Working Group made a range of recommendations to improve Portugal's capacity to prevent and combat foreign bribery, including to:

- Continue its efforts to raise awareness and provide training on foreign bribery among all relevant public and private sector stakeholders;
- Address key elements of its legal framework and their implementation in practice, particularly in relation to the liability of legal persons, and sanctions for natural and legal persons;
- Enhance detection of foreign bribery, including through the FIU and self-reporting by companies;
- Take urgent steps to ensure that its authorities investigate foreign bribery allegations thoroughly and proactively, and that relevant investigations are not prematurely closed;
- Proactively seek co-operation and MLA from foreign countries whenever appropriate, especially before deciding to terminate a foreign bribery case.

The report also highlights good practices and positive developments, such as the adoption of the National Anti-Corruption Strategy, the General Regime for the Prevention of Corruption, the establishment of the National Mechanism Against Corruption, and the enactment of legislation on

whistleblower protection. The report also welcomes awareness-raising and training efforts in the public and private sectors, as well as with demand side countries, and Portugal's recent ambitious recruitment programme for careers in criminal investigation and forensic analysis in the Criminal Police.

Portugal will provide an oral update within one year (October 2023) on selected issues. Within two years (October 2024), Portugal will submit a written report to the Working Group on the implementation of all recommendations and its enforcement efforts.

¹ The following footnote has been included at Portugal's request: Portugal reported two convictions after the Phase 4 report and press release were adopted. The status of Portugal's enforcement efforts will be reassessed accordingly in future Working Group evaluations of Portugal's implementation and enforcement of the Anti-Bribery Convention".

[Read the Report](#)

[Read the Press Release](#)

Box 6. Spain Phase 4 Report

Since the OECD Anti-Bribery Convention entered into force over 20 years ago, Spain has successfully convicted only two individuals in one foreign bribery case, and has not convicted a single company. Spain continues to close cases prematurely. Prosecutors have insufficient time to conduct their investigations and face challenges in deploying adequate investigative measures. Spain needs to address these issues urgently and improve detection by regulating voluntary self-disclosure and protecting whistleblowers.

In addition to the issues described above, the report expresses concerns about the restrictive interpretation of the foreign bribery offence by Spanish judges, the exceedingly short statute of limitations applicable to proceedings against legal persons, and how corporate criminal liability is triggered in practice. The Working Group made a range of recommendations to improve Spain's capacity to prevent and combat foreign bribery, including to:

- Urgently adopt its draft law on whistleblower protection and ensure that it aligns with the standards of the 2021 Anti-Bribery Recommendation;
- Ensure that specialised prosecutors have sufficient time to effectively conduct prosecutorial investigations, and that the threshold for opening a judicial investigation into foreign bribery allows for the effective investigation and prosecution of the offence;
- Align the statute of limitations for pursuing a foreign bribery case against legal persons with that applicable to individuals;
- Consider introducing a system of non-trial resolutions for foreign bribery cases that follows the principles of due process, transparency and accountability; and
- Raise awareness among companies of all sizes of the foreign bribery offence and actively promote anti-corruption compliance, in particular among SMEs.

The report also highlights several positive developments and good practices, such as the increase in the number of foreign bribery investigations, the consolidation of the foreign bribery offence and clarification of corporate criminal liability following the 2015 reform of the Penal Code, increased detection of foreign bribery through the anti-money laundering system, increased sanctions against natural persons, as well as the enactment of an aggravated foreign bribery offence that, under certain

circumstances, increases the maximum prison sentence to 9 years. Spanish authorities are also very active and resourceful when it comes to requesting and responding to mutual legal assistance.

Spain will provide an oral update within one year (December 2023) on the status of the bill to protect whistleblowers and progress on enforcement of foreign bribery. Within two years (December 2024), Spain will submit a written report to the Working Group on the implementation of all recommendations and its enforcement efforts.

[Read the Report](#)

[Read the Press Release](#)

3 Enforcement data

The Working Group collects data from its members on the number of criminal, administrative and civil foreign bribery cases that have resulted in a final decision, such as a conviction, an acquittal, or a non-trial resolution (e.g., non-prosecution, deferred prosecution, and plea agreements). Working Group members may voluntarily provide additional data on investigations, ongoing proceedings and sanctions imposed. They may also report data on criminal, administrative and civil proceedings for other offences related to foreign bribery, such as false accounting and money laundering.

The Working Group has published [enforcement data](#) annually since 2010. These publications show that, over time, Working Group members' law enforcement authorities have significantly increased efforts to investigate, prosecute and sanction foreign bribery. As part of this enforcement, certain members have resolved increasingly complex foreign bribery cases, for instance, involving legal persons or co-ordinated multijurisdictional resolutions with other countries. Even when resolutions in a particular case are not co-ordinated, countries typically receive significant co-operation from other Working Group members.

For more on the Working Group's views on enforcement, see its publication entitled [Enforcement is the Key!](#) submitted to the United Nations Office on Drugs and Crime for the 2021 U.N. Special session of the General Assembly against corruption (UNGASS).

Figure 3. Highlights from the 2021 enforcement data



Concluded cases

From the entry into force of the OECD Anti-Bribery Convention on 15 February 1999 through 31 December 2021:

- 25 Parties reported having convicted or sanctioned, collectively, at least 687 natural and 264 legal persons for foreign bribery through criminal proceedings.
- 7 Parties reported having sanctioned, collectively, at least 88 natural and 121 legal persons for foreign bribery through administrative or civil proceedings.
- 11 Parties reported having convicted or sanctioned, collectively, at least 76 natural and 109 legal persons for related offences (e.g., false accounting, money laundering, embezzlement, tax evasion) through criminal proceedings.
- 3 Parties reported having sanctioned, collectively, at least 76 natural and 182 legal persons for related offences through administrative or civil proceedings

Pending matters

As of 31 December 2021:

- 35 Parties reported having had, collectively, 481 on-going investigations for foreign bribery.
- 12 Parties reported having had, collectively, on-going criminal proceedings for foreign bribery against 166 natural and 14 legal persons.
- 2 Parties reported having had, collectively, ongoing administrative or civil proceedings for foreign bribery against 5 natural and 11 legal persons.

4 Summaries of Working Group on Bribery meetings and related events

The Working Group on Bribery meets quarterly and is responsible for monitoring the implementation and enforcement of the Convention, Recommendation, and related instruments. The Group's focus on the monitoring process and on ensuring additional measures are taken in cases of non-compliance translates into a particularly rigorous programme of work. In what follows are brief summaries of the Working Group's 2022 meetings.

Meeting of the Working Group on Bribery, March 2022

The Working Group adopted the Phase 4 report of Greece, the Phase 2 two-year follow-up report of Costa Rica and an evaluation follow-up report from Japan. The Working Group discussed the impact of data protection regulations on its work, the OECD Council's decision to take the first step in accession discussions with six candidate countries to OECD membership (Argentina, Brazil, Bulgaria, Croatia, Peru and Romania) and the Working Group's Accession Core Principles that will apply to candidate countries. The Working Group also agreed to designate Daniëlle Goudriaan, the European Prosecutor for the Netherlands, as the new Chair of the Working Group as of 1 January 2023.

Meeting of the Working Group on Bribery, June 2022

The Working Group discussed evaluation follow-up reports from Argentina, Finland, Hungary, Israel, Japan, Mexico, Peru, Slovenia and Switzerland; considered the written follow-up to Türkiye's High-Level Mission; heard Korea report on legislative reforms pertaining to its capacity to investigate and prosecute foreign bribery; heard the fourth report from the Monitoring Sub-Group on Brazil; heard Saudi Arabia report on legislative reforms it adopted as a result of its participation in the Group; heard Romania report on a project assessing its foreign bribery framework against OECD standards; heard Ukraine announce its intention to seek membership in the Working Group; adopted its 2021 enforcement data; continued discussions on the impact of data protection regulations on its work; discussed implementation of its Global Relations Strategy; and discussed latest developments concerning the G20 Anti-Corruption Working Group.

Meeting of the Working Group on Bribery, October 2022

The Working Group adopted the Phase 4 evaluation of Italy and Portugal; discussed the Phase 4 two-year written follow-up reports of the Netherlands and United States; considered additional follow-up reports from Bulgaria, Costa Rica, Germany, Japan, Korea, Norway and Türkiye; continued discussions on the impact of data protection regulations on its work; discussed implementation of its Global Relations Strategy; discussed latest developments concerning the G20 Anti-Corruption Working Group; heard Mauritius and Ukraine elaborate on their requests for Participant status in the Working Group; and heard Croatia and Romania provide reports on their efforts to accede to the Convention.

Meeting of the Working Group on Bribery, December 2022

The Working Group adopted the Phase 4 evaluation of Poland and Spain; considered additional follow-up reports from Australia, Finland, France, Hungary, Japan, Korea, Norway and Switzerland; heard the Monitoring Sub-Group on Brazil provide its fifth and final report; heard an overview of the technical mission to South Africa held in November 2022; agreed to launch the 2022 enforcement data collection cycle; decided that Croatia and Romania meet preliminary criteria for accession and agreed to conduct a full assessment of their accession requests in March 2023; agreed to propose to Council that Mauritius and Ukraine be granted Participant status; agreed to support extending Saudi Arabia's Participant status for one year on an exceptional basis; and heard an update on the development of the Working Group's Global Relations Strategic Directions 2023-2024.

Meetings of Law Enforcement Officials in 2022

Since 2010, an informal law enforcement officials meeting has been held twice a year for one full day on the margins of the Working Group's plenary meetings. It is open only to Working Group members directly involved in the investigation and prosecution of foreign bribery offences and is a unique forum to: discuss best practices, examine foreign bribery enforcement topics and the enforcement of specific cases; and establish professional networks to aid in the investigation and prosecution of foreign bribery matters. Law enforcement officials also contribute via these meetings to the thematic work of the Working Group to whom its Chair reports back orally. The informal, voluntary meetings of Law Enforcement Officials are part of the Working Group follow-up and institutional arrangements.

Two meetings were held in 2022; topics under discussion included commencing and planning foreign bribery investigations, the relationship between export controls and anti-bribery measures, corruption risks in the healthcare sector and investigative techniques in foreign bribery cases.

Joint Meeting of the Working Group on Bribery and G20 Anti-Corruption Working Group in 2022

The Working Group and G20 Anti-Corruption Working Group held their fifth annual joint meeting in September. The meeting included two panels, the first on modern tools for strengthening international co-operation in foreign bribery cases and the second on fostering foreign bribery prevention and anti-corruption compliance measures among SMEs.

Global Dialogue, December 2022

The Global Dialogue provides a platform for the Working Group to engage with non-members, especially Key Partners, with a view to building their understanding and knowledge of the WGB and its work, and to learn and exchange best practices on what countries are doing to fight international bribery and corruption. The Working Group hosted its second Global Dialogue, which was attended by approximately 150 participants from Working Group members and 13 countries not Party to the Convention (Croatia, Ghana, Indonesia, Kazakhstan, Kenya, Mauritius, Morocco, Romania, Saudi Arabia, Senegal, Thailand, Uganda, and Ukraine). Participants discussed how OECD regional law enforcement networks facilitate informal exchanges about transnational cases, exchanged good practices and challenges for promoting business integrity and compliance reforms building on the Anti-Bribery Recommendation, and exchanged ideas on issues concerning business integrity and state-owned enterprises, particularly in relation to incentives and measurement.

5 Global relations activities

The Working Group's global relations strategy identifies countries not only for potential accession to the Convention, but with which establishing working relations would be mutually beneficial. The Working Group aims to convey to countries that are not Party to the Convention the benefits of engaging with the Working Group and learning more about the Convention and related instruments, in particular the OECD 2021 Anti-Bribery Recommendation.

Accession candidates to the Anti-Bribery Convention

Croatia and Romania

On 25 January, the OECD Council decided to take the first step in accession discussions with six candidate countries to OECD membership. Two among the six candidate countries – Croatia and Romania – are not members of the Working Group on Bribery. Croatia and Romania were invited to attend (all non-restricted items of) the Working Group's October and December meetings. At the October meeting, Croatia and Romania respectively expressed their commitment to accede to the Convention and to engage with the Working Group to align their frameworks with international standards and share good practices in the fight against foreign bribery. At the December meeting, the Working Group conducted a preliminary assessment of Croatia and Romania's requests to accede to the Convention, deciding that both countries met the preliminary criteria for accession. A full assessment of their accession requests will be conducted in 2023.

Participants in the Working Group on Bribery

The purpose of Participant status is to facilitate accession to the Convention for qualified candidates. As the status is granted with a view to countries preparing for accession and Working Group membership, Participants are expected to contribute substantially to the Group's mandate and programme of work through active participation in meetings. The Working Group considers that Participant status is granted with the expectation that Participants seek accession within two years.

Mauritius and Ukraine

Following an expression of interest from authorities of Mauritius and Ukraine in seeking Participant status in the Working Group on Bribery with the intention to accede to the Convention, both countries were invited to attend the Working Group's October and December meetings. Mauritius and Ukraine elaborated on their requests and provided additional information on their respective frameworks for combating corruption. The Working Group agreed to propose to the OECD Council that Mauritius and Ukraine be granted Participant status in the Group.

Saudi Arabia

Saudi Arabia was granted Participant status in the Working Group in 2021 and in view of this status expiring in 2023, in 2022 requested an extension. At the Group's December meeting, Saudi Arabia presented its

progress and the rationale for its request. The Group agreed to extend the country's Participant status for one year on an exceptional basis until February 2024.

Global programmes in 2022

Building global anti-bribery partnerships is a specific output of the Working Group's Programme of Work and Budget. This section includes an overview of global programmes that were funded by voluntary contributions in 2022 and contributed to the implementation of the Working Group's Global Relations Strategy. The global programmes were centered on two workstreams, namely fostering international co-operation between WGB member and non-member law enforcement authorities to promote robust enforcement of foreign bribery offences, as well as improving the integrity of business operations in international markets.

The OECD Business Integrity Roundtable Series

To help improve the integrity of business operations in international markets, and promote anti-corruption corporate compliance, dialogues were held between government, private sector and other stakeholders in the form of [OECD Business Integrity Roundtables](#). The OECD Business Integrity Roundtable series provided a forum to discuss business integrity trends and challenges in OECD and non-OECD countries and to identify good practices for promoting business integrity. In 2022, the Roundtable featured 5 virtual events between 27 September and 14 December that brought together over 700 participants from 27 Working Group member countries and 56 non-member countries. Participants included representatives of government, the private sector, international organisations, academia, and civil society.

The Series included a regional roundtable which launched [Business Integrity in Eastern Europe and Central Asia](#) and focused on good practices for promoting anti-corruption compliance by both governments and the private sector. Business integrity academies, business ombudsman institutions, integrity of state-owned enterprises, challenges of political interference, collective actions and business-to-business solutions were among the topics discussed by participants. A second roundtable explored the [Anti-Bribery Recommendation's](#) focus on promoting business integrity through incentives in the law enforcement context. A third roundtable organised jointly by the OECD and the German Agency for International Co-operation provided a platform for countries in the Latin America and Caribbean region to share good practices and discuss business integrity challenges and address challenges and opportunities in the co-operation between law enforcement and the private sector in the fight against corruption. A fourth roundtable organised jointly by the African Development Bank and the OECD focused on how to best tailor outreach measures and incentives to the needs of African SMEs to engage them more effectively in the fight against corruption. A final roundtable launched the [Toolkit for Raising Awareness and Preventing Corruption in SMEs](#) and [Anti-Corruption Compliance in Times of Crisis: Building Resilience and Seizing Opportunities](#) and featured an exchange of best practices to promote business integrity and anti-corruption compliance in SMEs as well as a discussion of compliance challenges and opportunities presented in crisis contexts.

Global Law Enforcement Network against Transnational Bribery

As part of the Working Group's engagement with non-members, the Global Law Enforcement Network against Transnational Bribery contributes to facilitating international co-operation on cross-border cases between OECD member and non-member countries. The fourth ad-hoc meeting of the Global Law Enforcement Network against Transnational Bribery gathered over 100 participants from 48 countries including 18 non-members and 3 international agencies. Discussions focused on combating corruption related to the pandemic and other emergencies. One session was exceptionally open to experts representing non-governmental initiatives promoting whistleblower protection and investigative journalism.

The insights provided by law enforcement practitioners during the Global Law Enforcement Network's meeting also fed into the development of Practical Guidelines on Law Enforcement Response to Corruption in Crisis Situations, taking into account the lessons learnt from the pandemic. The guidelines also benefited from case studies that were collected during the regional Law Enforcement Network meetings and peer learning webinars in 2022, as described in the next section on Regional Programmes.

The Working Group on Bribery's Regional programmes

The Working Group on Bribery has established regional programmes in Africa, Asia and the Pacific, Eastern Europe and Central Asia, as well as Latin America. These programmes, which have been part of the Working Group on Bribery's Programme of Work and Budget over the last twenty years, contribute to creating a wider engagement for anti-bribery reforms in different regions of the world. The Regional Programmes are fully funded by voluntary contributions.

Anti-Corruption Network for Eastern Europe and Central Asia

Established in 1998, the [Anti-Corruption Network](#) is a regional outreach programme of the Working Group on Bribery. The Anti-Corruption Network for Eastern Europe and Central Asia (ACN) covers 24 countries including 6 WGB members (Bulgaria, Estonia, Latvia, Lithuania and Slovenia) and 2 OECD Accession candidate countries (Croatia and Romania). The Network supports its member countries¹ in their efforts to prevent and fight corruption and provides a forum for promoting anti-corruption reforms and exchanging best practices. Within the framework of the [Istanbul Anti-Corruption Action Plan](#) (IAP) launched in 2003, the Network conducts comprehensive peer reviews of its member countries. To facilitate engagement and experience sharing on good anti-corruption practices in the region, the Network has created thematic peer learning programmes, the Law-Enforcement Network and Business Integrity Group. The Network also assists member countries in enhancing their national anti-corruption systems through country projects.

Meetings and events held in 2022 include the [High-Level Meeting of Anti-Corruption Decision-Makers in Eastern Europe and Central Asia](#) and the Network's Steering Group Meeting which approved its Work Programme for 2023-26, adopted the [Istanbul Anti-Corruption Action Plan](#) (IAP) 5th Round of Monitoring [Assessment Framework](#) and its [Guide](#) and approved the methodology for the [Matrix of High-Level Corruption Cases](#) (Matrix). The IAP Pilot 5th round monitoring reports for [Armenia](#), [Azerbaijan](#), [Georgia](#), [Moldova](#) and [Ukraine](#) were released in June. The Network's 12th Law Enforcement Network (LEN) meeting was held in Istanbul, Türkiye and focused on corruption in emergencies, infrastructure project and public procurement, high-level corruption, confiscation of instrumentalities and proceeds of corruption and asset recovery. The Network also conducted training on the Matrix for law enforcement practitioners from Central Asia, exploring the objectives of the Matrix, selection criteria and data collection, procedures and format of LEN discussion and data protection issues. At the [Regional Business Integrity Roundtable in Eastern Europe and Central Asia](#), the Network also launched its 2022 report on [Business integrity in Eastern Europe and Central Asia](#), which identifies good practices that both governments and the private sector may develop to promote anti-corruption compliance, integrity and ethics.

¹ The Network's member countries include Albania, Armenia, Azerbaijan, Bosnia and Herzegovina, Bulgaria, Croatia, Estonia, Georgia, Kazakhstan, Kosovo*, Kyrgyzstan, Latvia, Lithuania, North Macedonia, Moldova, Mongolia, Montenegro, Romania, Serbia, Slovenia, Tajikistan, Turkmenistan, Ukraine and Uzbekistan. OECD countries also take part in the Anti-Corruption Network.

Anti-Corruption Initiative for Asia and the Pacific

Established in 1999 jointly by the Asian Development Bank and the OECD, the [Anti-Corruption Initiative for Asia and the Pacific](#) (ACI) is a regional outreach programme of the Working Group, which brings together 34 economies of the region.² Four members of the Working Group are members of the ACI, namely Australia, Korea, Japan and New Zealand. The Initiative carries out the Anti-Corruption Action Plan for Asia and the Pacific through three main workstreams, which include the Law Enforcement Network (LEN) and the Business Integrity Network (BIN), which promotes good practices on business integrity, connects interested stakeholders and facilitates collective action.

The LEN provides a forum for enhancing capacity amongst anti-corruption law enforcement practitioners in Asia and the Pacific and promoting international co-operation among law enforcement practitioners from OECD and non-OECD countries, through the building of professional contacts, networking and confidential discussions on real-life cases. As part of the Working Group's outreach efforts to law enforcement officials in Asia and the Pacific, a meeting of law enforcement officials from Asia Pacific was held on the margins of the Working Group plenary meeting in December 2022.

The Initiative supports countries' efforts to build effective and sustainable anti-corruption mechanisms through fostering policy dialogue, policy analysis, capacity building and donor co-ordination. In addition to engagement through the Initiative, the Secretariat also seeks opportunities to engage with key partner countries in the region through other relevant fora, such as the Association of Southeast Asian Nations (ASEAN) and the Asia Pacific Economic Cooperation (APEC).

Joint OECD/AfDB Initiative to Support Business Integrity and Anti-Bribery Efforts in Africa

The OECD and the African Development Bank (AfDB) have an established partnership since 2008 to support African governments in their efforts to combat bribery and corruption. The [Joint Initiative](#), which is a regional outreach programme of the Working Group on Bribery to Africa, aims to support its 21 member countries³ in improving corporate integrity and accountability, while promoting growth through an environment conducive to attracting foreign investment.

South Africa, which is the sole country on the continent that has acceded to the Convention to date, plays a pivotal role in facilitating engagement with its African counterparts. A pilot meeting of African Law Enforcement Officials was held in Pretoria, South Africa, in November 2022, which provided an opportunity to assess the feasibility of establishing an OECD network of African law enforcement officials on corruption. Similarly to LENs in other regions, it could contribute to fostering international co-operation among law-enforcement practitioners from OECD and African countries in the investigation and prosecution of complex cross-border corruption crimes by establishing professional contacts and developing technical capacities. The regional meeting, held under the Global Law Enforcement Response to Corruption in Crisis Situations project, focused on sources of detecting and investigating corruption offences during emergency situations, emerging technologies for detecting and investigating corruption, inter-agency cooperation, and international co-operation through formal and informal channels.

Prior to that, the Joint Initiative held a webinar in February 2022 that focused on inter-agency co-operation and co-ordination in combating corruption in crisis situations with a view to strengthening professional

² They include: Afghanistan; Australia; Azerbaijan; Bangladesh; Bhutan; Cambodia; the People's Republic of China; Cook Islands; Fiji Islands; Georgia; Hong Kong, China; India; Indonesia; Japan; Kazakhstan; Korea; Kyrgyz Republic; Macao, China; Malaysia; Mongolia; Nepal; New Zealand; Pakistan; Palau; Papua New Guinea; the Philippines; Samoa; Singapore; the Solomon Islands; Sri Lanka; Thailand; Timor-Leste; Vanuatu; and Viet Nam.

³ These include Benin, Burkina Faso, Cameroon, Ethiopia, Ghana, Kenya, Madagascar, Malawi, Mali, Mauritania, Mozambique, Namibia, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, South Africa, Tanzania, Uganda and Zambia.

capacities and exploring new tools for law enforcement practitioners and public prosecutors to detect, investigate and prosecute corruption during crises.

In December 2022, under the auspices of the Business Integrity Roundtable series, the Joint Initiative held a webinar that focused on how stakeholders in the region can more effectively engage African SMEs in the fight against corruption, exploring how best to tailor outreach measures and incentives to the specific needs of SMEs.

OECD-Latin America and Caribbean Anti-Corruption Initiative

The [OECD-Latin America and Caribbean Anti-Corruption Initiative](#) is a regional outreach programme of the Working Group on Bribery, which was established in 2007 with the support of the Inter-American Development Bank and the Organization of American States to promote the Anti-Bribery Convention in the region and strengthen the Convention's implementation. The Initiative provides a platform for OECD Working Group on Bribery countries⁴ and non-members from the region to compare experiences, share good practices and discuss challenges in the fight against corruption.

The Law Enforcement Network for Latin America and the Caribbean, which is part of the OECD-LAC Anti-Corruption Initiative, has become one of the most active WGB regional law enforcement networks. It benefits from the active involvement of members of Working Group on Bribery, including Argentina and Brazil that act as Co-chairs of the network. In 2022, the Latin America and Caribbean Anti-Corruption Law Enforcement Network organised an event to discuss the main trends, common challenges and good practices in the detection, investigation and prosecution of corruption cases and case-based peer-led training. Other priority topics for the region were discussed including gender and independence of corruption investigations, as well as law enforcement responses to crisis situations.

Anti-Corruption and Promotion of Business Integrity in the Middle East and North Africa

While the Working Group on Bribery does not have an outreach programme for the Middle East and North Africa, Working Group members have engaged at country and regional levels in the context of broader engagement of the OECD with this region.

At country level, in 2022, the second phase of the OECD-Morocco Country Programme included a review of Morocco's legal and policy frameworks against the criteria for accession to the Convention, which benefited from technical support from the Working Group's Chair, France and Italy.

At regional level, the [MENA-OECD Initiative on Governance and Competitiveness for Development](#), which is a horizontal cross-directorate programme of the OECD, helps governments strengthen their anti-corruption frameworks.⁵ As part of this Initiative, the MENA-OECD Business Integrity Network (MOBIN) brought together government and private sector stakeholders to promote business integrity in the region. Bilateral projects in [Algeria and Iraq](#), which were also funded by voluntary contributions, have promoted business integrity through awareness-raising, capacity-building, and multi-stakeholder dialogue. Technical assistance to law enforcement authorities was also provided in this context. At regional level, the training "Boosting corruption detection in the MENA region" was held virtually in February 2022 and addressed corruption detection by public bodies as well as the role of the media and the importance of effective whistleblower protection in presence of representatives from both public and private sectors.

⁴ These include Argentina, Brazil, Chile, Colombia, Costa Rica, Mexico and Peru.

⁵ The MENA-OECD Initiative covers Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, the Palestinian Authority, Qatar, Saudi Arabia, Tunisia, the United Arab Emirates and Yemen.

