

REPORT

Regional seminar: Enhancing integrity for sustainable investment

18-19 February 2020

Union for the Mediterranean (UfM), Barcelona, Spain

This report contains the conclusions, agenda, list of participants, evaluation and presentations of the regional seminar.



**PROGRAMME
ON PROMOTING INVESTMENT**
in the Mediterranean



Conclusions

The EU-OECD Programme on Promoting Investment in the Mediterranean organised a **regional seminar on “Enhancing integrity for sustainable investment”**, on 18-19 February 2020, at the Union for the Mediterranean (UfM) in Barcelona, Spain.

The regional seminar provided a platform for multi-stakeholder dialogue on the importance of taking action in the fight against corruption in investment transactions. The **objective** was to analyse of how effective cooperative anti-corruption efforts between public authorities, private sector and civil society can be achieved to promote a sound investment climate and seek for implementation actions.

The Secretary-General of the UfM, the Head of the OECD Middle East and Africa Division and a Senior Policy Officer from the European Commission (DG NEAR) opened the seminar. **70 participants** from the eight South Mediterranean economies, that benefit from the Programme’s activities participated, including private sector, academia, civil society representatives. Peers from OECD member countries (Greece, Spain, Italy), international organisations (EBRD, UNDP) and OECD experts also contributed. All countries were represented by both their investment promotion agency and anti-corruption authority. It was the first time that the Programme brought together these two policy-makers communities. All participants praised the opportunity to foster dialogue among key institutions, which are usually not prone to interact.

The seminar tackled both issues of investment and integrity and their links through various angles and experiences:

- The introductory session explored **why and how the fight against corruption and the promotion of integrity can be integrated in reform agendas to attract investment** and spur clean business climate. After the introductory remarks by the President of CEOE International (Spanish confederation of business associations), a Tunisian academic and a compliance expert explained how corruption deters investment, discourages local and regional linkages, and exacerbates negative externalities and uncompetitive behaviour. Studies and data are lacking due to the opacity of the phenomenon, but the World Bank revealed that an increase of corruption of 1% decreases investments by 5%. According to the latest Corruption Perception Index of Transparency International, all eight MED economies score below 50 on a scale from zero (high corruption) to 100 (high integrity).
- Discussions raised awareness on the **international and regional instruments on anti-corruption and integrity** adopted to promote a clean business environment and their implications for MED economies. Notably, all MED countries ratified the UN Convention against Corruption (UNCAC) which compels adhering countries to set up a comprehensive strategy to prevent and combat corruption. Yet, the level of implementation is limited. No MED countries are parties to the OECD Anti-Bribery Convention, which criminalises bribery of foreign public officials by private companies in international business transactions. However, it impacts foreign businesses from signatory countries active in the Mediterranean region, bound to abide by the obligations set out in their home jurisdictions.
- Each MED beneficiary briefly presented their government action to promote a clean investment environment by sharing **national initiatives and practices on linking anti-corruption measures and investment processes**. While some countries presented progresses and recent legal and institutional initiatives, some openly mentioned the many obstacles that remain in terms of political will, lack of trust, commitment, enforcement, and dialogue with the private sector. Five out the eight MED economies have an anti-corruption strategy, most adopted a legislative arsenal and created

dedicated institutions, but all suffers from co-ordination and implementation deficit and collaboration between the investment and anti-corruption institutions remains weak.

- Discussions followed on **how to build accountability and trust among multiple actors**, in particular with the private sector and civil society and especially in the current regional context of social contestation and extended discomfort about the social and economic outcomes of existing policies. Alternatives and opportunities emerged in the debate in terms of improvement of the quality of institutions, development of data and indicators, legislative optimisation, digitalisation, culture of transparency, accountability monitoring and integrity, and dialogue with private and civil society actors.
- Concrete examples of **multi-stakeholders initiatives to promote integrity in the investment process** provided practical guidance for participants seeking to engage in public-private mechanisms and sectoral initiatives. Several experiences (collective actions in Morocco, draft national business reform agenda in Egypt, and Business Ombudsman Council of Ukraine) were presented as tools that can provide a constructive approach for companies and governments to deal with bribery solicitation investment projects.
- The presentation of the OECD Guidelines for Multinational Enterprises highlighted that an important aspect of **responsible business conduct (RBC)** is the fight against corruption, just as much as the fight against corruption should fully integrate RBC-related considerations. Morocco and Tunisia presented how their respective National Contact Points, which are extra-judicial mechanisms to promote and implement the Guidelines, can take action to advance the anti-corruption agenda. They have a key role to play in reinforcing the link between investment and anti-bribery policies and integrating RBC standards into anti-corruption strategies.

Experts and countries intervention, followed by interactive debates, brought into light some key **take-aways**:

- **Adopting a whole-of-government approach:**

- Strong government awareness, will and commitment are essential to fight corruption and enhance integrity for sustainable investment. Participants mentioned that efforts towards this reform agenda are taking place, but are not sufficient to respond adequately to the pressing social demand. The political situation of Lebanon illustrates the need to tackle anti-corruption in a collegial manner. The ongoing structural reforms could provide a timely opportunity to accelerate the long-awaited finalisation of the anti-corruption strategy, the enactment of the related laws, and sector-specific approaches. As mentioned by an expert, “anti-corruption should become a **public policy**”.
- Participants identified **institutional co-ordination** as a key priority, in particular the importance of co-ordinating strategies and actions of anti-corruption and investment promotion agencies. An expert emphasised the need to work on a structured dialogue between agencies to develop trust and common language, avoiding asymmetries of power and information. Co-ordination should also be reinforced with the judicial system. For example, a Tunisian representative deplored the co-ordination deficit between the AC institution (INLUCC), the judiciary and the control/audit bodies.
- The importance of the **legal framework** was also at the centre of the debates. There is more a need for legislative implementation and enforcement (“legislative optimisation”), rather than for legislative production or revision, though in some countries, inadequate legal frameworks remain an impediment. The preventive and repressive legal regime should also be complemented by a soft law approach, through the formulation and dissemination of guidelines, codes, recommendations,

charters on ethical standards. Several participants mentioned initiatives in that direction, and asked for more concrete examples and practices.

- Fighting anti-corruption needs **financial means**. While investment can improve the fiscal basis of the State, corruption increases fiscal evasion. There is the need to both improve fair, inclusive and simplified taxation mechanisms and to allocate funds to the fight against corruption. Deficit in these both areas are notable in the region and government commitment remains weak. For example, while Tunisia adopted an ambitious anti-corruption strategy, the government has not budgeted its implementation.
- **Awareness-building campaigns and training programmes** are also a means to build a culture of integrity within the public sector and the dedicated agencies. While their importance was reiterated several times, no country representatives described any actions in that direction.
- **Digitalisation** is essential for improving transparency, administrative simplification, access to information and business operations effectiveness. MED countries are aware of the importance of digitalisation and conduct some interesting initiatives. Most MED investment promotion agencies set up one-stop-shops to facilitate investment entry and operationalisation. Broader implementation requires more experience sharing and guidance.
- **Public procurement** is one of the government activities highly vulnerable to corruption, due to the financial interests at stake, the volume of transactions and the close interaction between public and private sectors in the award of public contracts. Given the weight of public procurement in the economic activity of MED countries, participants recognised that solid, reliable, and transparent public procurement practices are critical for the overall investment climate, building on international good practices and standards, in particular the OECD Principles for Enhancing Integrity in Public Procurement.
- Several participants highlighted the need to **focus on specific sectors or issues** to promote both integrity and investment. Several participants, notably from Lebanon and the Palestinian Authority, mentioned the relevance of a sectoral approach to combat corruption. In the area of **customs**, more simplification, control and transparency will reduce inappropriate behaviours. Complex **tax** systems and burdensome tax administration are factors that increase corruption risks for investors. Therefore, more fiscal transparency and higher degrees of digital government are recommended. Same applies to fiscal and financial incentives offered to foreign investors, as well as capital and profit repatriation. **Land** allocation and pricing equally warrant more transparency. Morocco presented an interesting initiative: the investment risk mapping (cartographie des risques pour les investisseurs) which identifies bottlenecks in the investment process, with a focus on tax, customs and habitat.
- **Adopting a multi-stakeholder approach and enhancing the role of the private sector and civil society**
 - Unanimously, participants called for a holistic approach and for a **stronger involvement of the private sector and civil society in the fight against bribery**. Corruption is a very multifaceted and continuously evolving phenomenon that requires innovative responses from the society as a whole, and the private sector in particular. Multi-stakeholder initiatives should therefore be incentivised to improve trust and consensus building. Participants from Lebanon and Jordan emphasised the role of economic and social councils (ECOSOC) in promoting dialogue in the area of corruption.
 - **Structured public-private dialogues** (PPD) are essential. The region shows heterogeneity in PPDs, and PPD mechanisms specifically aimed at fighting corruption and promoting integrity are still little

developed. The second phase of the EU-OECD Programme on Investment in MED will support structured dialogues between the private and public sectors on sectoral issues. This work will support a more sustained process of PPD, which could then apply to all relevant issues.

- In addition to PPD, the private sector (in all its diversity) should improve its effective **policy advocacy role** to better orient and support implementation of targeted policies. Specific support and peer learning in this area may be relevant, as well as monitoring and evaluation mechanisms on reforms implementation. To build awareness, several participants, notably from Morocco, also recommended sensitisation and support for companies and their staff through specific training programmes.
- **Compliance mechanisms** at company's level are essential to prevent corruption risks. As presented by experts, a growing number of OECD and EU companies investing in the region have adopted anti-corruption compliance systems in the last decade, due to various factors, including legal and regulatory requirements, enforcement and reputational risks. However, compliance has a cost and enterprises not equipped with such mechanisms do not always explore new markets in innovative and sensitive sectors. It was recommended to better formalise due diligence processes in enterprises, but also improve visibility of compliance programmes. Governments also need to acknowledge and encourage companies' efforts to put in place compliance programmes. The example of the French legislation of 2016¹ was cited which introduced obligatory compliance programmes for medium and large companies meeting certain specifications.
- Individual action and corporate compliance programmes at company level can be usefully complemented by **"collective action" against corruption** by multiple firms across a given sector. This type of action is an important tool in advancing integrity and achieving a level playing field for all actors in the market, particularly in jurisdictions characterised by weak governance and systems or corrupt institutional environments, in order to build "islands of trust" by jointly defining and implementing integrity standards in selected sectors/branches/areas of activities. The experience of pilot initiatives launched in Morocco in the energy, health and transport sectors under the aegis of the General Confederation of Moroccan Enterprises (CGEM) and in accordance with the National Strategy against Corruption was presented.
- Corruption also reduces opportunities for **business linkages**. In countries where the perception level of corruption is high, foreign enterprises tend to be reluctant to enter into joint ventures or local partnerships. An interesting and inspiring initiative was presented by the representative of Italy, which set up a rating system of enterprises by the national anti-corruption agency, based on law application.
- To avoid disputes with investors arising from governmental misconduct, many countries are setting up **investment dispute prevention mechanisms**, which favour, at early stages of investment-related disputes, the dialogue and the non-jurisdictional resolution of potential conflicts with enterprises, including cases involving bribery. A representative of the Ukrainian Business **Ombudsman** Council shared its experience. More and more countries in the MED region are implementing similar mechanisms in the form of early alerts and after-care services for investors. Egypt set up an interministerial committee for investment dispute resolution and GAFI, the investment promotion agency, put in place a mediation and grievance mechanism to address investors' complaints as well as dispute arising between investors. The Jordan Investment Commission also announced the recent implementation of its Investment Grievance Mechanism. MED countries have hence started to offer

¹ "Law Regarding Transparency, the Fight Against Corruption and the Modernization of Economic Life," known as the Loi Sapin II.

tailored services to investors when confronted with potential disputes and a culture of investment dispute prevention is now diffusing.

- There is room for improvement in the articulation and integration of **responsible business conduct** and anti-corruption efforts through the use of the National Contact Points (NCP) as engine for anti-corruption initiative and sensitisation. Moroccan and Tunisian NCPs presented their activities, but Egypt and Jordan, which are also adherent to the OECD Declaration on Multinational Enterprises and International Investment, by virtue of which they have committed to establish an NCP, still remain to put such mechanisms in place. This would be key not only to bring themselves in line with their international commitments, but also to improve their reputational risks and bring further coherence across anti-corruption and RBC agendas. Even where NCP are in place, they need to be well budgeted to be given the staff and resources required to fulfil their mandate.

- **Taking effective measures to align with international anti-corruption instruments and standards**

MED economies can benefit by better aligning their legal framework with integrity and anti-corruption international standards, which promote a clean business environment. The **UN Convention against corruption** is a comprehensive set of standards, which tackles both the supply and demand sides of corruption, the public and private bribery and regroups 180 signatory countries. Adopted in 2003, it incorporates a monitoring process, which started only in 2011 and is not finalised yet. In particular, article 5 of the UNCAC requires governments to have anti-corruption strategies. In that regard, it was highlighted that national strategies are excellent entry point to work with the private sector, although currently most of the strategies in MENA only allude the topic of investment but do not give sufficient priority to it. The UNCAC has been a catalyser for discussion but implementation remains too low. Same applies to the Arab Anti-Corruption Convention though with a lower degree and capacity of implementation.

The OECD Anti-Bribery Convention is a special convention in the galaxy of anti-bribery conventions as it covers the supply side of corruption. It prevents corruption to be exported and levels the playing field between all competitors. As such, it is an instrument which promotes a sound investment climate. There is real shift in the attitude of investors. Research suggests that investors from countries signatory to the OECD Convention are less likely to invest in corrupted economies, due to their fear of prosecution at home or elsewhere. The Convention and its monitoring process through the Working Group on Bribery also allows a constant dialogue between States and enterprises (self-reporting and voluntary disclosure, codes of conduct, inclusion of companies in the Working Group).

- **Improving access to data, information and measurement of the impact of corruption on investment:**

- There is a **lack of economic studies on the impact** of corruption notably on investment. Opacity of processes renders measurement tools difficult to model, and mostly perception indexes are used. In addition, results are mixed, especially on the short term. However, corruption has undoubtedly a negative impact. The UN considered – back in 2000 – that corrupt countries receive about 5% fewer investments than non-corrupted ones. The OECD countries, which all signed the Anti-Bribery Convention, have reduced their investment in corrupted countries.
- Measurement **tools, data, accountability mechanisms** are important to better evaluate the corruption impact. Access to information – as means of request for and disclosure of information – is also a complementary tool.

- A **culture** of accountability, evaluation and monitoring needs to be further developed in the MED countries. This can be achieved through awareness-building campaigns, training programmes involving all stakeholders (government officials, staff in enterprises, CSOs, students...).

- **OECD support:**

The OECD stands ready to support MED economies in promoting anti-corruption and investment through its mechanisms, tools and policy dialogues. It can, in particular:

- Support individual MED economies on the implementation of anti-corruption and integrity measures at the national level in line with OECD legal instruments and standards to promote a cleaner business environment, in particular the OECD Anti-Bribery Convention.
- Raise awareness and enhance the understanding of the impact of corruption on the business climate of public officials involved in attracting foreign investment through discussions in different regional policy dialogues of the MENA-OECD Competitiveness Programme, in particular the MENA-OECD Business Integrity Network (MOBIN) and the MENA-OECD Working Group on Investment and Trade.
- Bring public and private representatives together to enhance the dialogue and provide support for developing adequate institutional frameworks in which stakeholders can meet and exchange over various policy developments to fight corruption and enhance integrity through the MOBIN as well as the MENA-OECD Business Advisory Board (BAB).
- Support MED countries that adhered to the OECD Declaration on International Investment and its related instrument, in implementing the Guidelines for Multinational Enterprises and provide technical assistance to the operationalisation of their National Contact Points (NCPs).

The regional seminar also allowed informing participants on the renewed EU-OECD Programme on the Investment Climate in the Mediterranean. The Programme will continue supporting and advising governments on investment policies and promotion strategies to target “quality” investment and develop structured public-private dialogues to improve the investment climate in the five sectoral EU External Investment Plan windows.



DRAFT AGENDA

Regional seminar Enhancing integrity for sustainable investment

18-19 February 2020

Union for the Mediterranean (UfM)

Barcelona, Spain



**EU-OECD PROGRAMME ON
PROMOTING INVESTMENT**
in the Mediterranean

Context

The EU-OECD Programme on Promoting Investment in the Mediterranean, launched in October 2016 in Tunis, aims to implement sound and attractive investment policies and establish effective institutions in the Southern Mediterranean (MED) region, with a view to attract quality investments and support job creation opportunities, local development, economic diversification and stability.

The Programme is implemented by the MENA-OECD Competitiveness Programme and the Investment Division of the OECD Directorate of Financial and Enterprise Affairs, and is governed by an Advisory Group, co-chaired by the European Commission and the OECD, with the participation of beneficiary countries, the Secretariat of the Union for the Mediterranean (UfM) and regional partners.

Objective of the seminar

Integrity in business is critical for a country's development and investment performance. Evidence suggests that bribery and corruption place a significant economic burden on businesses and keep countries from achieving their economic growth and employment potential. This is also the case in MED economies, where corruption perception levels remain very high, impacting investors' confidence and the business environment².

In this context, governments, businesses and civil society need to share responsibility and act together to promote more integrity that will improve the level and quality of the investment environment. Several MED countries have recently adopted comprehensive laws and national strategies to combat corruption. Yet, a culture of integrity cannot be achieved through public regulation alone: complementary and mutually supportive actions by the private sector also play an essential role. Indeed, corruption is a very multifaceted and continuously evolving phenomenon that requires innovative responses from the society as a whole.

The objective of the seminar is therefore to provide a **platform for multi-stakeholder dialogue on the importance of taking action in the fight against corruption in investment transactions**. Representatives from both the public and private sectors from MED and EU economies will explore how the adoption and promotion of integrity measures can contribute to achieving sustainable FDI and ease the deployment of investments.

The seminar will notably introduce **international instruments on anti-corruption** which help policy makers advance integrity, promote a clean business environment and include cooperation mechanisms with the private sector. Discussions will address the **role of public authorities** in fostering a clean investment environment, the importance of **more robust regulatory and institutional frameworks to strengthen integrity**, and the **need to improve coordination** both within governmental entities and with the private sector. Relevant **multi-stakeholder initiatives** taken to promote integrity in the region and elsewhere will be showcased and key related topics, such as **integrity in public procurement and responsible business conduct**, will also be discussed in dedicated thematic sessions.

² According to the latest Corruption Perception Index of Transparency International, all eight MED economies score below 50 on a scale from zero (high corruption) to 100 (high integrity).

Participants will gain an understanding of how effective cooperative anti-corruption efforts between private sector, public authorities and civil society can be achieved to promote a sound investment climate. The seminar will provide an opportunity for peer-learning, showcasing action undertaken by experts from different government institutions and the business community. Participants will become more familiar with the recognised integrity norms and standards. The seminar will identify existing initiatives and good practices that are relevant and transferrable to MED countries, and which encourage the development and implementation of measures and actions by both the public and private sectors to further integrity.

Participants

The seminar will gather MED government officials and policy makers in charge of investment policies from relevant ministries and investment promotion agencies (IPAs), officials from anti-corruption agencies and institutions in charge of anti-corruption policies, as well as business associations, multinationals operating in the region, and local companies and entrepreneurs. Civil society and the media, whose roles are crucial in the fight against corruption, will also be represented. Participants will benefit from a focused and interactive exchange of perspectives and experiences from practitioners and experts, EU peers and international organisations working in the field of anti-corruption.

Background material

OECD instruments, recommendations and papers

- ▶ [OECD \(1997\) Convention for Combating Bribery of Foreign Public Officials in International Business Transactions and Related Recommendations](#)
- ▶ OECD (2017) "[Foreign direct investment, corruption and the OECD Anti-Bribery Convention](#)", OECD Working Papers on International Investment
- ▶ Global Lessons on collective action against corruption – The case of Morocco (OECD)
- ▶ [Responsible business conduct](#) (RBC) and OECD Guidelines for Multinational Enterprises

Other instruments

- ▶ League of Arab States (2010), "[Arab Anti-Corruption Convention](#)"
- ▶ UN (2004), "[The United Nations Convention on Anti-Corruption \(UNCAC\)](#)"

Website

www.oecd.org/investment/promoting-investment-in-the-mediterranean.htm

Venue

**Meeting Room: Sala Gran
UfM Conference premises**
Palacio de Pedralbes Avinguda Diagonal 686
08034, Barcelona, Spain

Translation: English, French and Arabic



**EU-OECD PROGRAMME ON
PROMOTING INVESTMENT
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Day 1

08:30-09:00 **Registration**

09:00-09:30 **Welcoming remarks**

- **H.E. Nasser Kamel**, Secretary General, Union for the Union for the Mediterranean
- **Michel Marciano**, Senior Blending Facilities Policy Officer, DG Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission
- **Carlos Conde**, Head, Middle East and Africa Division, Global Relations Secretariat OECD

09:30-11:00 **Introductory session: Integrity, Anti-corruption and Investment**

The objective of this introductory session is to further understand why combatting corruption and promoting integrity should be integral components of a national and regional reform agenda to attract investment, develop a fair playing field for the private sector and spur clean business climate. Discussions will explore how – by increasing uncertainty, costs and country-risk – corruption deters investment, discourages local and regional linkages, and exacerbates negative externalities and uncompetitive behaviour. The session will also aim to raise awareness of corruption and bribery risks throughout the investment life cycle by bringing concrete examples.

Moderation: Marta Blanco, President of CEOE International (Confederación Española de Organizaciones Empresariales), Co-chair of the MENA-OECD Business Advisory Board

Speakers :

Impact of corruption on FDI

- **Neila Chaabane**, Dean, Faculty of Juridical, Political and Social Sciences of Tunis, University of Carthage

Corruption risks and occurrence throughout the investment process

- **Nicolas Tollet**, Partner, Hughes Hubbard & Reed LLP

11:00-11:30 Coffee break

11:30-13:00 **Session 1 - International instruments and standards on integrity and anti-corruption promoting a clean business environment**

This session aims to raise awareness of the international instruments on anti-corruption and integrity that have been adopted at regional and global levels to promote a clean business environment. In particular, the United Nations Convention against Corruption (UNCAC), which has been ratified by a majority of MED countries, imposes to set up a comprehensive strategy to prevent and combat corruption, including cooperation mechanisms between national authorities and the private sector. In addition, the OECD Anti-Bribery Convention, which criminalises bribery of foreign public officials by private companies in international business transactions with strong enforcement and monitoring mechanisms, [has](#) led companies in adhering countries to develop and enforce preventive, self-regulatory measures to eliminate malpractices. While no MED countries has adhered

to the OECD Anti-Bribery Convention yet, it impacts foreign businesses active in MED countries, bound to abide by the obligations set out in their home jurisdictions. Furthermore the standards set out in the Convention, as well as the enforcement and monitoring mechanisms it provides can help guide countries of the region advance integrity.

Moderation: Catherine Marty, Legal Analyst, Anti-Corruption Division, OECD

Speakers:

- **Lorenzo Salazar**, Vice-Chair of the OECD Working Group on Bribery in International Business Transactions and Deputy Prosecutor General at the Court of Appeal of Naples, Italy
- **Arkan El-Seblani**, Regional Manager, UNDP Arab States, Anti-Corruption
- **Fernando Fraile González**, Chief Compliance Officer, Iberdrola Spain

Open discussion

13:00-14:00 Lunch break

14:00-16:00 **Session 2 - Government action to promote a clean investment environment**

This session will take stock of actions taken by MED governments to foster integrity and fight the corruption in investment, by notably defining standards for businesses, through policies and law enforcement. Discussions will focus on the role that investment policy makers, including investment promotion agencies (IPAs), can play in ensuring and promoting integrity by reference to their status, mandates and activities. Participants will also discuss the benefits of a coordinated action between investment policy makers on the one hand and anti-corruption institutions and bodies on the other hand. The role of audit and oversight institutions in promoting transparency and good governance will also be discussed. MED and EU peers will present selected good practices and discuss with participants the experiences and the challenges encountered.

Moderation: Marie-Estelle Rey, Senior Advisor, Middle East and Africa Division, Global Relations Secretariat, OECD

Exchange of experiences (MED Investment Promotion Agency and Anti-Corruption Agency) – Tour de table

- **Hamdi Al-Khawaja**, General Director/Planning, Palestinian Anti-Corruption Commission
- **Naoufal Ouldelmehdi**, Strategic Manager, National Authority for Probity, Prevention and Fight against Corruption (INPPLC)
- **Fatma Safwat**, Policy Advisor, General Authority for Investment and Free zones (GAFI)
- **Other Med countries (tbc)**

Peers' perspective

- **Lorenzo Salazar**, Prosecutor, Court of Appeal of Naples, Italy, Vice-Chair of the OECD Working Group on Bribery

16:00-17:00 **Building accountability and trust: the role of civil society**

The responsibility for fighting corruption lies with multiple actors. Non-governmental institutions and the private sector have an essential role to play in bringing forward a culture of integrity by promoting transparency and monitoring governments' anti-corruption commitments. In a moment of open social contestation and extended discomfort about the social and economic outcomes of existing policies, rebuilding trust and reinforcing accountability mechanisms is essential. To this end, this interactive session will give representatives from civil society organisations and academia working at the crossroads of good governance and economic development the opportunity to share their experience and points of view on the topics discussed throughout the day, and engage in an open debate with public officials.

Moderation: **Carlos Conde**, Head, Middle East and Africa Division, Global Relations Secretariat, OECD

Interventions:

- **Rym Ayadi**, Director, Euro-Mediterranean Network for Economic Studies (EMNES); Founder and President, Euro-Mediterranean Economists Association (EMEA)
- **Majdi Hassen**, Executive Director, Arab Institute of Business Leaders (IACE)

Day 2

9:00-11:00 **Session 3: Multi-stakeholders initiatives to promote integrity in the investment process**

Efforts to tackle corruption require the engagement of multiple stakeholders, and companies have a key role to play in upholding integrity. Practical mechanisms and strategies accompanied by strong legal and institutional frameworks are also key. This session will discuss examples of multi-stakeholder initiatives between the private sector, civil society, Governments and international institutions that foster anticorruption practices in the investment process, with the view to provide practical guidance for participants seeking to engage in their own public-private partnerships and sectoral initiatives. Speakers will address the challenges encountered, their achievements, and what remains to be accomplished. In particular, lessons learned from recent innovative experiences of collective action conducted on the ground in Morocco and Egypt will be shared. Reporting mechanisms at high levels of government will also be presented as tools that can provide a constructive approach for companies and governments to deal with bribery solicitation in businesses and investment projects.

Moderation: **Michel Marciano**, Senior Blending Facilities Policy Officer, DG Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission

Speakers:

- **Diane Pallez**, Policy Analyst, Middle East and Africa Division, Global Relations Secretariat, OECD

- **Dr El Sayed Torky**, Senior Advisor, Federation of Egyptian Industries
- **Iaroslav Gregirchak**, Deputy Business Ombudsman, Business Ombudsman Council of Ukraine
- **Omar El Nahry**, Principal, Project Integrity, Office of the Chief Compliance Officer, The European Bank for Reconstruction and Development (EBRD)

11:00-11:30 Coffee break

11:30-12:30 **Session 4: Implementing Responsible Business Conduct standards and due diligence to address corruption and promote sustainable investment**

The OECD Guidelines for Multinational Enterprises provide non-binding principles and standards for responsible business conduct in a global context consistent with applicable laws and internationally recognised standards. An important aspect of responsible business conduct is fighting corruption. The objective of this session is to explore how governments from the MED region and elsewhere are integrating RBC standards in domestic policies, with a focus on anti-corruption policies, and putting in place mechanisms to effectively promote and implement them. The role of National Contact Points in countries which have adhered to the OECD Guidelines for Multinational Enterprises will be presented. This session will also explain how companies are integrating RBC standards throughout value chains and the benefits of implementing due diligence with respect to promoting market access and responding to growing international expectations.

Moderation and introductory remarks: H el ene Fran ois, Policy Analyst, Investment Division, Directorate for Financial and Enterprise Affairs, OECD

Speakers:

- **Nihel Guiga**, Tunisian National Contact Point, Ministry of Development, Investment and International Cooperation
- **Mariam Boualila**, Moroccan National Contact Point on OECD Guidelines for Multinational Enterprises, Morocco’s Investment and Trade Agency (AMDIE)
- **Majdi Hassen**, Executive Director, Arab Institute of Business Leaders (IACE)

12:30-13:00 **Conclusions and wrap-up of discussions**

The concluding session will summarise the main findings of the discussions in order to identify concrete recommendations and potential future OECD and EU support. Countries are invited to share their potential needs towards concrete needs in the field of investment and integrity. Main outcomes of the next phase of the Programme will be introduced.

- **Michel Marciano**, Blending Facilities Policy Officer, DG Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission
- **Carlos Conde**, Head, Middle East and Africa Division, Global Relations Secretariat OECD

LIST OF PARTICIPANTS

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18-19 February 2020

Union for the Mediterranean (UfM)

Barcelona, Spain



**EU-OECD PROGRAMME ON
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in the Mediterranean

Pays MENA / MENA Countries

Algérie/Algeria		
Yacine	GUECIOUER	Cadre auprès de la Direction chargée des études juridiques Agence Nationale de Promotion de l'Investissement (ANDI)
Azeddine	GAOUA	Chef d'études chargé de la coopération internationale Organe National de Prévention et de Lutte contre la Corruption (ONPLC)
Manel	BOUROUH	Administrateur Principal Organe National de Prévention et de Lutte contre la Corruption (ONPLC)
Mohamed	BOUCHOUIANE	Directeur des affaires pénales et des grâces, Ministère de la justice
Hayet	MEHADJI	Conseillère, Ministères des affaires étrangères
Autorité palestinienne / Palestinian Authority		
Hamdi	ALKHAWAJA	General Director/Planning Palestine Anti-Corruption Commission (PACC)
Rawan	ABU MAYYALEH	Head of the EU Unit, International Relations Department Ministry of Finance
Ghadeer	SALAH	General Director of investment, Palestinian Investment Promotion Agency (PIPA)
Hilda	ALSHIKH	Legal Assistance, Palestinian Investment Promotion Agency (PIPA)
Fadi	AINABOSEE	Head of Follow up section Ministry of National Economy
Égypte / Egypt		
Hesham	ELRAKAYBI	Under Secretary, Administrative Control Authority (ACA)
Alaa Mohamed	ALEWAINY	Officer, Administrative Control Authority (ACA)
Ali Ahmed	ANAN	Officer, Administrative Control Authority (ACA)
Mohamed Rami	ABDELHALIM	Investment Facilitation, Promotion Department, GAFI
Fatma	SAFWAT	Policy Advocacy Sector, GAFI
Jordanie / Jordan		
Khaled	WAZANI	Chairman, Jordan Investment Commission (JIC)
Mais	KHLAIFAT	Legal Counsel, Jordan Investment Commission (JIC)
Mohammad	NABULSI	Secretary General, Economic & Social Council (ECOSOC)
Mohammed	OKOUR	Head of private sector investigations, Jordanian Integrity and Anti-corruption Commission (JIAC)

Liban / Lebanon		
Simon	SOUAID	Vice-President Investment Development Authority of Lebanon (IDAL)
Natacha	SARKIS	Anti-Corruption Officer Office of the Minister of State for Administrative Reform
Samir	NAIMEH	Directeur de Cabinet du Président, Economic & Social Council (ECOSOC)
Brahim	NAJEM	Investment coordinator - UNDP Investment Development Authority of Lebanon (IDAL)
Razi	HAGE	Economic Expert Lebanon Ministry of Economy and Trade
Libye / Libya		
Hisham	BEN HAMED	Director of Investigation Department National Anti-Corruption Commission
Fatah	ELHAWATT	Chairman, Libyan Privatization And Investment Board
Essam	ZAHAF	Director of International Cooperation Department Libyan Privatization And Investment Board
Rashid	SWANI	Businessman, Libyan Business Council
Mohamed	SULAIMAN	Office Tripoli Port, National Anti-Corruption Commission
Ziad	AL AZZABI	Personal Assistant to the Director National Anti-Corruption Commission
Maroc / Morocco		
Mariam	BOUALILA	Secrétariat, Point de contact national Maroc sur les Principes directeurs de l'OCDE à l'intention des entreprises multinationales Agence marocaine de développement des investissements et exportations (AMDIE)
Jihane	LMIMOUNI	Chef de Service Organisations Internationales Agence marocaine de développement des investissements et exportations (AMDIE)
Naoufal	OULDELMEHDI	Responsable de Stratégie Instance Nationale de Probité, de Prévention et de Lutte contre la Corruption (INPPLC)
Tunisie / Tunisia		
Chawki	TABIB	Président Instance Nationale de Lutte Contre la Corruption (INLUCC)
Zied	LAHBIB	Directeur de la coopération internationale, Foreign Investment Promotion Agency (FIPA)

Nihel	GUIGA	Point de Contact National Tunisie sur les Principes directeurs de l'OCDE à l'intention des entreprises multinationales, Ministère du Développement et de la Coopération internationale (MDiCI)
Maher	DAGHNOUJ	Sous-Directeur Instance Tunisienne de l'Investissement (TIA)

Pays OCDE / OECD Countries

Christos	SKOURAS	Grèce / Greece Communication, International & Institutional Affairs Directorate Entreprise Greece
Lorenzo	SALAZAR	Italie / Italy Vice-Chair of the OECD Working Group on Bribery in International Business Transactions and Deputy Prosecutor General at the Court of Appeal of Naples
Iaroslav	GREGIRCHAK	Ukraine Deputy Business Ombudsman, Business Ombudsman Council of Ukraine

Organisations internationales / International Organisations

UE / EU		
Michel	MARCIANO	Seconded Senior Blending Facilities Policy Officer, DG Neighbourhood and Enlargement Negotiations (DG NEAR), European Commission
EBRD		
Omar	EL-NAHRY	Principal, Project Integrity, Office of the Chief Compliance Officer The European Bank for Reconstruction and Development
EMNES		
Rym	AYADI	Director, Euro-Mediterranean Network for Economic Studies (EMNES) Founder and President, Euro-Mediterranean Economists Association (EMEA)
UNDP		
Arkan	EL-SEBLANI	Regional Manager, UNDP Arab States, Anti-Corruption

Union pour la Méditerranée (UpM) / Union for the Mediterranean (UfM)

H.E. Nasser	KAMEL	Secretary General
Rachid	MAANINOU	Deputy Secretary General
Hamed	EL ETREBY	Senior Economic Advisor
Said	CHARNA	Senior Advisor
Mohammed	ELRAZZAZ	Project Analyst
Johannes	LAEPPEL	GIZ Specialist
Andreas	GARBADE	GIZ Specialist
Glenn	CAUWENBERGHS	Professional Assistant
Inès	MEBARKI	Intern

Secteur privé /Private Sector

Marta	BLANCO	President of CEOE International (Confederación Española de Organizaciones Empresariales), Co-chair of the MENA-OECD Business Advisory Board
Majdi	HASSEN	Directeur Exécutif, Institut arabe des chefs d'entreprises (IACE)
El Mahfoudh	MEGATELI	Secrétaire Général, CGEA
Mouni	AZOUZA	Responsable des relations extérieures, CGEA
Hakim	HADDAD	Conseiller, CGEA
El Sayed	TORKY	Senior Advisor, Federation of Egyptian Industries
Fernando	TRAILE	Chief Compliance Officer, Iberdrola Spain
Nicolas	TOLLET	Associé, Hughes Hubbard & Reed LLP
Odeh	AL-ZEGHMOURI	Secretary General, Palestinian Federation of Industries (PFI)
Maher	FEKI	Directeur central des affaires économiques, Union Tunisienne de l'industrie, du commerce et de l'artisanat (UTICA)
Samir	HOULAILA	Chairman and founder, Maalchat, Palestinian Authority

Academia

Neila	CHAABANE	Doyenne de la Faculté des sciences juridiques, politiques et sociales de Tunis, Université de Carthage
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OCDE / OECD

Carlos	CONDE	Head, Middle East and Africa Division, Global Relations Secretariat
Marie-Estelle	REY	Senior Advisor, Middle East and Africa Division, Global Relations Secretariat
Catherine	MARTY	Legal Analyst, Anti-Corruption Division, Directorate for Financial and Enterprise Affairs
Diane	PALLEZ	Policy Analyst, Middle East and Africa Division, Global Relations Secretariat
Hélène	FRANCOIS	Legal Analyst, Investment Policy Reviews, Investment Division, Directorate for Financial and Enterprise Affairs
Nadia	KAMELEDDINE	Project Assistant, Middle East and Africa Division, Global Relations Secretariat
Carla	CASADO RUBERT	Consultant



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Présentations et photos

[PRESENTATIONS](#)

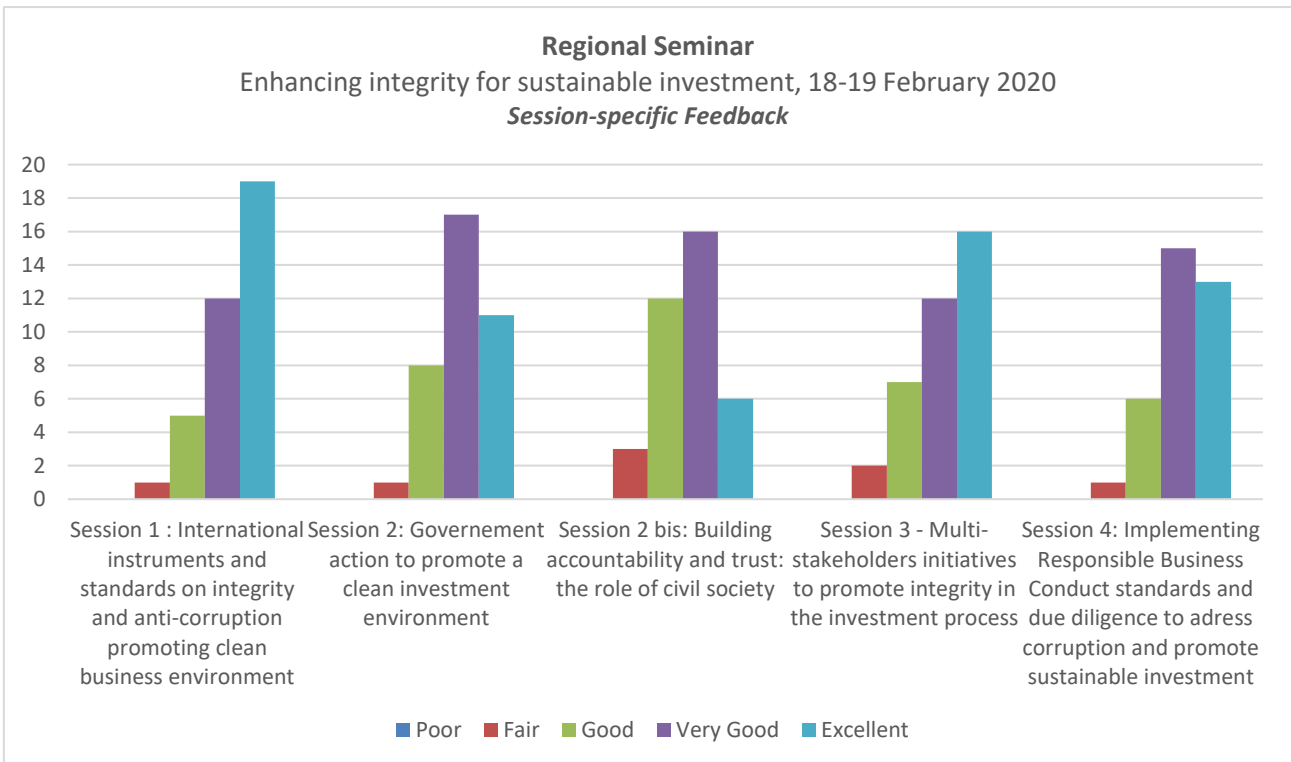
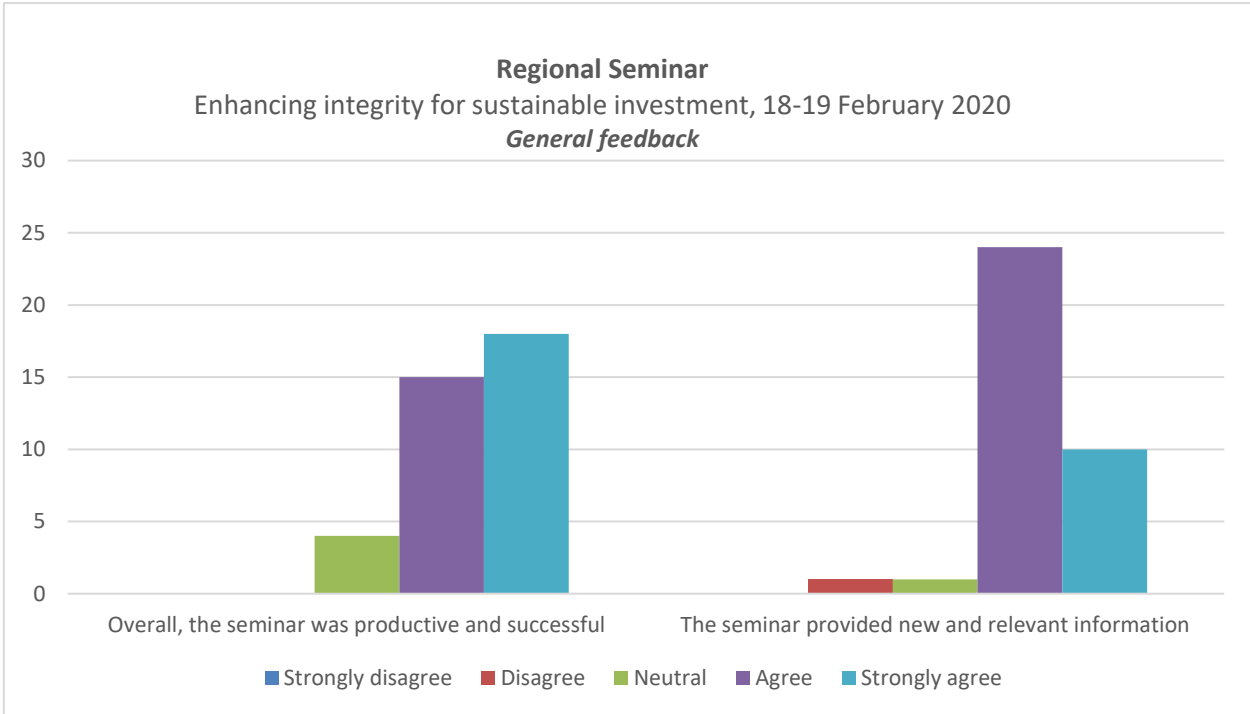
(Cliquer [ici](#) pour visualiser les présentations)

[PHOTOS](#)

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EVALUATIONS

37 participants replied to the evaluation questionnaire



Regional seminar, Barcelona, 18-19 February 2020	Number
Total nb of participants	71
Of which are women	22 (31%)
Of which are from MED	44
Of which are funded by the Programme	43
Of which are from EU member states and institutions	3
Of which are from international and regional organisations	20
Of which are from the private sector	9

Comments from participants

In red: reported by several participants

- 1) How will you apply the new information and skills acquired to your work, either now or in the future?
 - **Best practices and information conveyed to the institutions / agencies / national bodies**
 - **Implement and communicate the new trends and practices to fight corruption**
 - Taking into account the other countries' experience and international principles
 - Comply with the international standards
 - Increase cooperation with the AC agencies private sector and civil society
 - Network with the business sector
 - Repositioning the IPA
 - Improve the cooperation with the AC agencies, the private sector and civil society
 - To be inspired from the other successful experiences

- 2) Which aspects of the seminar did you find the most useful?
 - **Exchanges of experiences with participants**
 - **Role of the civil society**
 - Insights of the multi-stakeholders agencies
 - To adopt national prevention and anti-corruption policies
 - Share of countries' experiences
 - Discussion between the governments and private sector
 - Ombudsman
 - Insights on how to involve the private sector in the fight against corruption
 - Session on international standards and instruments
 - Building accountability and trust

- 3) Which topics were not or insufficiently covered? Least useful?
 - **Role of the civil society**
 - Responsibility of the private sector in the fight against corruption
 - The issue of professional secret and access to information
 - Role of the media in the fight against corruption
 - To have more statistical data on dispute settlement mechanism

- Case studies for each country in the region
 - Trust and confidentiality
 - Not enough links between the AC and investment strategies
 - International standards and instruments
 - Topics related to labour laws as the basis for a clean relationship between the public and private sectors
 - Presentations made by the delegates who promoted more their country's efforts disregarding the topic of the session
 - Multi-stakeholders initiatives to promote integrity in the investment process
 - The links between politics, corruption and investment
- 4) Other comments / topics suggestions / improvements for the future seminars?
- Commitment of local private sector
 - Introduction of the status of the countries, where they stand and what are their expectations
 - Identify the objectives of the session from the beginning and wrap up each session by listing the main ideas that were covered
 - **Presentations to be sent by email to the participants**
 - **More PP presentations**
 - Give more realistic examples
 - More examples of the MED region
 - More publications from countries or OECD
 - The public-private link as a tool in favour of development
 - Improve the OECD website
 - Seminars on deeper topics to go in the micro
 - Influence on the legislator to enact anti-corruption laws
 - Taking into account the specificity of the sectors regarding each country
 - Experiences of regional bilateral agreements between AC agencies
 - **Workshops on tools and instruments**
 - Workshop / session on whistle blower

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