



Responsibility of the Private Sector in Preventing and Combating Corruption

Presentation of the International Chamber of Commerce to the Twenty-Third Meeting of the Committee of Experts of the Mechanism for Follow-Up on the Implementation of the Inter-American Convention against Corruption

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ROLES AND RESPONSIBILITIES



Governments

- To adopt and enforce laws prohibiting domestic and international bribery
- To implement compliance programs to stem the demand side of corruption

Civil Society

- To maintain public awareness of the costs of public corruption
- To shine a spotlight on corrupt activities

Business Organizations

- To advocate for an honest and transparent business environment
- To create anticorruption tools and best practices – particularly for use by SME's

Businesses

- To conduct business with unyielding integrity
- To adopt and enforce effective anticorruption compliance programs



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B20 Task Force on Transparency and Anti-Corruption

Advocated for an effective review system for the **UNCAC**

Influenced key activities under aegis of the **OECD Anti-Bribery Convention**

ICC meeting organized in **China** on Anti-corruption in 2013; talks underway on possible commission meeting 2014.

Working with the UN Expert Working Group appointed to implement the **UN Guiding Principles on Business and Human Rights**

Organized business input into development of the **OECD MNE Guidelines**

Developed global business views on **corporate responsibility reporting**



TOOLS AND BEST PRACTICES



ICC Guide to Responsible Sourcing

ICC Rules on Combating Corruption (2011)

ICC Anti-corruption Clause (2012)

RESIST (training on how to resist extortion and solicitation)

ICC Whistleblowing Guidelines

ICC Guidelines on the Use of Agents, Intermediaries and Other Third Parties

Business Case against Corruption ICC

Ethics and Compliance Training Handbook → December, 2013



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Where We Can Work Together

Training and Capacity Building

- Exchange best practices in establishing effective compliance programs to prevent, detect, and remediate bribe solicitation by officials
- Exchange best practices in establishing effective compliance programs to prevent, detect, and remediate bribe payment by SOE's
- Business/Government cooperation in developing and delivering anti-bribery training in public and private sectors





Where We Can Work Together

Maintaining Balanced Incentives to Encourage Private-Sector Investment in Self-Policing

- Recognize “adequate procedures” as a defense or mitigant
- Provide appropriate incentives for self-disclosure
- Protect against penalizing the same conduct in multiple jurisdictions
- Recognize alternative dispositions, such as Deferred- and Non-Prosecution Agreements





Where We Can Work Together

Establishing High-Level Reporting Mechanism for Government Procurement Irregularities

- To resolve concerns about bribe solicitation in a speedy manner, so that government projects can proceed without prolonged delays
- Sufficiently high level to ensure cooperation by all government agencies
- Informal, designed and implemented in accordance with local legal framework
- Preserve all law-enforcement options

