

Conference Summary

# Corporate Responsibility & Combating Foreign Bribery

OECD requirements, trends in the global arena and implications on business  
6.6.2012, Carlton Hotel Tel-Aviv

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Nearly 200 participants attended the Corporate Responsibility & Combating Foreign Bribery Conference that was organised by the Israeli Ministry of Justice (MOJ), the Israeli Ministry of Industry, Trade & Labour (MOITAL), together with the Manufacturers Association of Israel (MAI). The Conference focused on current global trends with an emphasis on OECD requirements and their implication on business, and featured dozens of speakers from the public and the business sector, along with representatives from the civil society.



More than a year and a half after Israel joined the OECD it is possible to assert that the local business environment is undergoing a slow-yet-persistent revolution. Israel's membership in the OECD bears important implications in the fields of corporate responsibility and business ethics.



In 2009 Israel joined the OECD Convention on Combating Bribery of Foreign Public Officials, and two years later, as a member, it adopted the 2011 version of the OECD Guidelines for Multinational Enterprises.

In recent years there is an increasing interest and visibility to such practices, out of understanding among companies and businessmen that while membership in the OECD is indeed demanding, it is also rewarding for Israeli companies looking for opportunities overseas.

Several years ago MAI established a Business Forum with the facilitation of the Strauss Group and its Legal Advisor Michael Avner, with an intention to increase participation from the industry and the private sector in the dialogue with government ministries and intergovernmental organisations. The Forum gradually became an

example for an ongoing activity that draws more attention and involvement from all business and industry sectors who share interest in OECD views and practices.

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The Foreign Trade Administration at MOITAL oversees Israel's implementation of the Guidelines and serves as the Israeli National Contact Point (NCP). The Department for International Agreements & Litigation at MOJ was in charge of the local work revolving around the adoption of the Antibribery Convention, and is presently overseeing the Convention's local practice. The MAI served as the mediator throughout both of the processes and overlooks the continuous interface between all agents. This Corporate Responsibility & Combating Foreign Bribery Conference constitutes a milestone following a 3-year period of intensive joint work. For this cause the list of speakers included some notable figures from the OECD halls, including the Organisation's Secretary General Angel Gurría.



The Secretary General delivered [his speech](#) early in the day, stating that “as a Party to the OECD Guidelines for Multinational Enterprises and Anti-Bribery Convention, Israel sets an example - both globally and in the Middle East for fighting bribery and promoting responsible corporate behavior”.



Ministry of Justice Director General Guy Rotkopf said that the Ministry's thorough work prior to Israel's compliance to the Convention was a crucial element in strengthening the rule of law in Israel, while the membership in the OECD provides the added value of international collaboration and enhanced dialogue with the private sector.



Michael Avner from the Strauss Group who also chairs the Corporate Responsibility & Antibribery Business Forum said that that the work with the OECD is “undoubtedly already showing its fruits”. Avner added that “when we are adhering to such standards and practices that are shared between OECD member countries – we are practically laying the foundations for international

collaborations and joint ventures for many years to come for both Israeli enterprises and entrepreneurs.

Lena Zeiger, Director of the OECD Department in MOITAL said that “the OECD Guidelines are an example for the high standards that the Organisation sets in order to enable a level playing field in the global business environment.”The Conference actively promotes the public dialogue and enables profound constructive discussion on topics that were not part of the local landscape until recently. It is obvious today

that one cannot look at certain business and economy only by focusing on basic facts like GDP, unemployment and growth; businesses are an inseparable part of our society, and as such they have enormous influence on our life”.

Adv. Shai Nitzan, former Deputy State Attorney for Special Functions, elaborated on the measures that the MOJ took in the last 3 years to promote Antibribery practices, including stricter punishment on bribery crimes. He responded to a question from the audience that the State Attorney does not intend to deter people from such indecent actions by looking for scapegoats and punishing them.

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Roel Nieuwenkamp from the OECD Working Party on International Investment and the Dutch Ministry of Economic Affairs spoke about the complexity of the update process of the NCP Guidelines in light of the overall aspiration to reach consent among all countries, business organisations and trade unions. Winand Quaedvlieg from VNO-NCW, days after the announcement on his new position as Chair of the BIAI International Investment & Multinational Enterprises Committee, elaborated on the very same process from the business' point of view. The latter is also the co-writer of the [BDA and VNO-NCW Brochure](#) that was [recently translated to Hebrew](#) and was distributed among the Conference's participants during the day.



Ms. Kathryn Nickerson from the U.S. Department of Commerce gave a fascinating presentation on the American experience with the Foreign Corrupt Practices Act (FCPA), its transformations and consequences since 1977 and the way it affected legislation and international treaties like the OECD Antibribery Convention.

The day ended with four parallel panels, divided to the conference's two major themes - Corporate Responsibility & Combating Foreign Bribery. Adv. Yehuda Shaffer, Deputy State Attorney (Financial Enforcement), moderated a panel on Detection and Prevention of Bribery of Foreign Public Officials, and MAI Legal Advisor Ofer Yohananof moderated a panel on the major challenges facing the industry and the rest of the business sector in an era of bilateral and multilateral agreements and treaties. Ayelet Dar, corporate responsibility and sustainability expert, moderated a panel under the title Corporate Responsibility throughout the Supply Chain, and Nir Koren from BDO Ziv Haft moderated a panel on Navigating Corporate Responsibility through stakeholders' Expectations . A vast majority among the speakers and the participants agreed that the major challenge in the fields of corporate responsibility and combating foreign bribery does not end in advocacy and conferences, but faces its major obstacles in the daily practice by enterprises and their employees in each country.

[To access the Conference's presentations](#)