

SPEAKING NOTES for PM/ACD

Supporting efforts to tackle corruption and other financial crimes during COVID-19

Workshop organised by the Regional Centre of Excellence (Mauritius) in association with the OECD

7 April 2022 – Paris 11:30 – 14:30

- It is a great pleasure to welcome everyone on behalf of the OECD Anti-Corruption Division to today's workshop on "Supporting efforts to tackle corruption and other financial crimes during COVID-19".
- This workshop is **one of a series** organised by the Government of Mauritius' Regional Centre for Excellence (RCE) in collaboration with the OECD.
- Indeed, I would like to congratulate the Mauritian Financial Services Commission (FSC) for setting up the RCE with the mandate of, inter alia, delivering capacity building programmes aimed at financial services regulators and law enforcement agencies from the Southern and Eastern African Regions. This initiative is a result of the **MOU that was signed between the Government of Mauritius and the OECD in September 2018 and involves several divisions within the Directorate for Financial and Enterprise Affairs of the OECD**, such as the Consumer Finance, Insurance and Pensions Division, the Investment Division and the Anti-Corruption Division.
- This initiative is illustrative **of the efforts carried out by Mauritius authorities to the fight against corruption and financial crimes, including its active participation in various anti-corruption initiatives and forums**, a couple of which I will mention further in a moment. I also wish to extend my personal appreciation to Dr Beekarry, Director General of the Independent Commission Against Corruption (ICAC), who has been a longstanding partner for us. More generally, I have experienced excellent cooperation with various Mauritius authorities from my time as Executive Secretary of the FATF when we worked together to establish a FATF style-regional body in Eastern and Southern Africa.

Engagement of the OECD

- For its part, the OECD has always been at the forefront of the fight against corruption. Such engagement is notably materialized by the work of the **Working Group on Bribery, a conference of 44 parties** responsible for monitoring the implementation and enforcement of the OECD Anti-Bribery Convention and the 2021 Recommendation on Further Combating Bribery of Foreign Bribery in International Business Transactions.
- The **Anti-Bribery Convention establishes legally binding standards** to criminalise bribery of foreign public officials in international business transactions and provides for a range of related measures that make this effective. It is the first and only international anti-corruption instrument focused on the 'supply side' of the bribery transaction.
- The **2021 Recommendation on Further Combating Bribery of Foreign Bribery in International Business Transactions was adopted by the OECD Council on 26 November 2021**. It replaced the 2009 Anti-Bribery Recommendation and complements the Anti-Bribery Convention with the view to respond to the **new threats and challenges** in the fight against foreign bribery.
- The 2021 Recommendation notably **introduced principles on the use of non-trial resolutions in foreign bribery cases, incentivizing anti-corruption compliance by companies and providing comprehensive and effective protection for reporting persons**. Four other OECD Recommendations, covering areas such as tax and state-owned enterprises, complete the set of standards aimed at criminalising, detecting, investigating and prosecuting bribery of foreign public officials in international business transactions.

- The Anti-Bribery Convention (Art. XIII) as well as the 2021 Recommendation (section XIX) itself encourage cooperation with *“competent authorities in other countries, and, as appropriate, international and regional law enforcement networks involving Member and non-Member countries, in investigations and other legal proceedings concerning specific cases of such bribery”*.
- The **requirement and willingness to foster international cooperation** is notably illustrated by the **regional Law-Enforcement Networks for investigators and prosecutors** working on corruption cases, that we have set up in Eastern and Central Europe, Latin America and we are exploring in Africa and Asia Pacific.
- In addition, **strong relationships have been established with countries such as Mauritius**, providing an opportunity to promote international cooperation while highlighting the efforts of national authorities. The Working Group on Bribery hosted its first Global Dialogue with non members this past December 2021, and the ICAC gave a very informative and well-received presentation on its efforts.

Corruption during the pandemic: OECD and global law enforcement response

- I will now also say a few words about the topic of the session today, and you will hear more from my colleagues during the first panel.
- Since the beginning of the COVID-19 and economic crisis, **the OECD has undertaken a number of initiatives to support its members and partners in their efforts to detect, investigate and prosecute corruption during the COVID-19 pandemic** and recovery period, including policy papers as well as numerous webinars aimed at sharing good practices and challenges related to the detection and investigation of corruption and other misconducts during the COVID-19 pandemic and other crisis.
- Indeed, **COVID-19 significantly increased corruption risks in all parts of the world, including in Africa**. Such risks were notably fostered by significant public expenditures combined with simplified procedures and less oversight by traditional public procurement safeguards, logistical challenges faced by law enforcement authorities to detect, investigate and prosecute corruption cases, disrupted supply chains.
- Nevertheless, a number of **high profile cases** related to public procurement of medical supplies and personal protection equipment, or economic packages, **were detected despite these significant hurdles, illustrating significant efforts made by law enforcement authorities** to investigate schemes involving PEPs, opaque, beneficial ownership structures, complex transfer of assets *etc.*
- **Given the extraordinary nature of such a crisis, cooperation, coordination and sharing of experiences in fora such as the one that brings us together today are instrumental in supporting efforts to combat corruption, as well as other financial crimes, in crises such as the COVID-19 pandemic.**
- I look forward to hearing for all your presentation and our discussions this afternoon.