

## Joint meeting – Draft proposal 10 September 2020

This third joint meeting between the G20 Anti-Corruption Working Group (ACWG) and the OECD Working Group on Bribery (WGB) is organised to support these groups' shared goal of strengthening G20 countries' commitment to combat the bribery of foreign public officials in international business transactions (foreign bribery). Two joint sessions between the G20 ACWG and OECD WGB took place under Argentina's Presidency, in October 2018, and under Japan's Presidency, in October 2019. Combatting foreign bribery has been a top priority of the G20 anti-corruption agenda since 2010, when G20 Leaders adopted their first Anti-Corruption Action Plan and established the G20 ACWG. This has helped to ensure continued engagement among the world's largest export economies on this issue, in line with the WGB's own continued commitment to involve all G20 economies in its work and—potentially—its membership. To this end, a collaborative and open discussion is envisaged, in order to facilitate connections between these two groups' members and respective programmes of work. The agenda focuses on areas of priority identified by both groups as being of mutual interest.

### Welcome and Introduction

### Session 1. Corruption and sports

Sport is a multi-billion dollar industry with intricate ties to public and private interests. Sport related activities, in particular, those associated to the organisation of major sporting events, are exposed to corruption risks. In 2017, G20 Leaders decided to include the fight against corruption in sport as a priority agenda at the Hamburg Summit.<sup>1</sup> Taking this commitment forward, the G20 ACWG promoted continued focus on the topic in its 2019-2021 Anti-Corruption Action Plan, including through the International Partnership against Corruption in Sport (IPACS) platform. Recent high-profile investigations of transnational bribery involving sports officials have also raised awareness and interest among Parties to the OECD Anti-Bribery Convention. The WGB agreed in December 2019 to consider ways to address corruption in sports in the context of its mandate. It also paid particular attention to the topic of cooperation between law enforcement authorities and sport organisations in the context of the 2019 meeting of the Global Network of Law Enforcement Practitioners against Transnational Bribery (GLEN).<sup>2</sup>

This session will take stock of ongoing initiatives and current standards on corruption in sport, including work developed in the context of IPACS, share experiences and good practices to address the various forms of corruption in sport, and explore possible synergies and identify ways in which G20 and WGB countries could undertake further work on this topic.

### Session 2. Transnational bribery cases during the Covid-19 crisis

---

<sup>1</sup> G20 Leaders edged to “work to address integrity in sports and urge international sports organisations to intensify their fight against corruption by achieving the highest global integrity and anti-corruption standards”.

<sup>2</sup> See [www.oecd.org/corruption/anti-bribery/globalnetworkoflawenforcementpractitionersagainsttransnationalbribery2019meeting.htm](http://www.oecd.org/corruption/anti-bribery/globalnetworkoflawenforcementpractitionersagainsttransnationalbribery2019meeting.htm)

Over the past few months, governmental and intergovernmental bodies, including the G20 ACWG and OECD WGB, have noted with concern that bribery and corruption have the potential to undermine the global response to the Covid-19 pandemic. Indeed, data on transnational bribery cases shows that bribery often occurs in sectors that are crucial to an effective Covid-19 response and recovery, including the health sector, transport and storage, and information and communications.<sup>3</sup> The G20 ACWG and OECD WGB have also long recognised that international cooperation is one of the key elements in the battle against corruption, and one of the most common challenges to effective enforcement. Unfortunately, the pandemic and measures taken by governments to control its spread have impacted the capacity of law enforcement authorities to cooperate with their foreign counterparts: travel restrictions and physical distancing rules have delayed international cooperation, and suspension of criminal proceedings and reallocation of resources to the investigation and prosecution of Covid-19 related misconduct also resulted in delays for the collection of evidence and the provision of mutual legal assistance (MLA). On the positive side, national authorities have continued to engage in formal and informal cooperation, including through the regular meetings of the WGB law enforcement officials.

This session aims to highlight the particular challenges that countries face in soliciting and responding to MLA requests, including among WGB and G20 countries, during the outbreak and response to the Covid-19 pandemic. It further seeks to identify practical tools and good practices which can facilitate the sharing of information and evidence amongst G20 and WGB countries in the context of transnational corruption cases in periods of crisis.

---

<sup>3</sup> OECD (2014), OECD Foreign Bribery Report, <http://dx.doi.org/10.1787/9789264226616-en>



## Il Consigliere

*Mister Chair,  
Excellencies,  
Distinguished Delegates,*

I would like to draw your attention to an interesting document produced by the OECD in collaboration with the Italian National Anticorruption Authority (ANAC) in 2016, **at the end of a joint supervisory experiment on a major event**, “EXPO MILANO 2015”.

Today we are discussing corruption and sport; and we consider sport a multi-billion dollar industry, with complex ties to public and private interests: so the activities associated to the organization of major sporting events must be closely supervised **because of the risk of corruption and organized crime**.

The OECD-ANAC Document includes **seven “High-Level Principles for Integrity, Transparency and Effective Control of Major Events and Related Infrastructures”**<sup>1</sup>. The Document translated some of the conclusions adopted by the OECD Advisory Board regarding that new model of supervision inaugurated for EXPO into more operational principles.

In particular, OECD observed that «The [Italian] **experience (...) represents a model for integrated controls and institutional synergies** which allows for a "co-ordinated institutional response" to organized crime and corruption».

It is a model that goes a long way off «the traditional silos approach to controls by different institutions and organizations, which is inevitably linked to ex-post detection of problematic situations rather than to an ex-ante contribution to better and more effective procurement procedures».

---

<sup>1</sup> See OECD (in co-operation with ANAC), *High-Level Principles for Integrity, Transparency and Effective Control of Major Events and Related Infrastructures*, Paris, 2016.



## Il Consigliere

It is a **model «of “collaborative controls” characterized by an interaction with the contracting authorities that allows preventing illegality and eventually adopting corrective measures** in order to ensure the realization of the public works on time».

It also responds «to the needs of large public and social events that must be perceived “corruption-free”» effectively<sup>2</sup>.

This system acts indirectly as a **deterrent to further corrupt conduct** and helps **restoring the confidence of market operators on transparency and fairness of awards** and the subsequent management of the contracts<sup>3</sup>.

So, finally, in view of pursuing the best possible implementation of the recommendations adopted in Abu Dhabi by the CoSP 8, I consider that it is necessary to go back to reading those Seven High-Level Principles: they **identify a set of key principles governing public procurement in the occasion of major sport events**.

In the opinion of the OECD «The system put in place for EXPO 2015 combines efficiency and legality and can be used potentially as **a model for other large events around the world. (...) Some elements and best practices emerged from this project with ANAC can be a source of inspiration to foster integrity of other large infrastructure projects**»<sup>4</sup>.

Thank you for your kind attention.

Il Consigliere

*Prof.ssa Nicoletta Parisi*

<sup>2</sup> OECD, *Second Interim Report (on Memorandum of Understanding for co-operative related “EXPO Milano 2015” between The Italian National Anti-Corruption Authority (A.N.A.C.) and the Organisation for Economic Co-operation and Development (OECD))*, adottato il 30 marzo 2015, p. 9.

<sup>3</sup> Doc. loc. ult. cit., that goes on to say: «The experience of EXPO 2015 so far has demonstrated that it is possible in a short time with appropriate measures and tools to radically change the frameworks for legality controls and the perception that stakeholders have of public contracts particularly when large works or events are at stake».

<sup>4</sup> Doc. ult. cit., pp. 9-10.