

Resolution on OECD Convention

Adopted by the Transparency International Annual Membership Meeting,
Bali, Indonesia, 28 October 2007

On the tenth anniversary of the adoption of the OECD Convention on Combating Foreign Bribery, the TI Annual Membership Meeting (AMM) calls on OECD and the 37 signatory governments for strong action to ensure that the Convention achieves its objective of establishing a corruption-free playing field for international trade. The TI AMM was attended by 200 people representing TI national chapters in 81 countries.

The adoption of the Convention by the leading exporting states, the homes of most major multinational companies, raised high hopes that the supply side of international corruption would be sharply curtailed. After ten years, there has been only limited progress and the future of the Convention is in doubt. While 14 countries have conducted significant enforcement of foreign bribery, there has been little or no enforcement by over 20. This demonstrates a serious lack of political commitment by over half the signatories. The details are spelled out in TI's 2007 Progress Report on Enforcement of the Convention, published on 18 July 2007.

TI's concerns for the future of the Convention are amplified by the action of one of OECD's largest exporters in terminating the investigation of widely publicised bribery allegations involving its largest defence contractor. The assertion that national security considerations override the commitment to prohibit foreign bribery sets a dangerous precedent that other governments could also use.

The basis of the OECD Convention is a reciprocal commitment by major exporters to compete without foreign bribery. Unless all parties comply, the Convention will unravel.

Therefore TI calls on OECD to:

- 1) Take action at the Ministerial level to ensure that lagging governments comply without further delay;
- 2) Maintain a vigorous monitoring programme until there is active enforcement by all signatories;
- 3) Prevent the use of national security considerations as a reason for not prosecuting foreign bribery.

The success or failure of the OECD Convention represents a critical test of the will of the industrialised world to combat international corruption. Failure of the OECD Convention will undermine the credibility of the industrialised world in promoting anti-corruption efforts in developing countries and with important exporters such as China, India and Russia.

To be submitted to the Rome Conference on the tenth anniversary of the OECD Convention, on 21 November 2007.