



Global Anti-Bribery: Anti-Corruption (ABAC) Compliance: Overview and Advanced Issues

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Discussion Issues

- Implementing Change
- Compliance Governance and Accountability
- Third Parties – A Critical Challenge
- Global Antibribery Policy – A Major Challenge
- Other Key Antibribery Compliance Topics



Implementing Change

- Resistance to change: implementing behavior change
- Risk Assessment – how do you ensure you are adequately applying your limited resources?
- Comprehensive review of core activities & controls raises key issues that mirror global compliance challenges generally
- Resource constraints: a time intensive activity, by activity process
- Ensuring company-wide consistency of process: a major challenge

Compliance Governance and Accountability

- Governance—local vs. center oversight
- Appropriate & most effective reporting structure
- Defining boundaries of Compliance vs.
 - Legal
 - Internal Audit
 - Human Resources
 - Finance
 - Security
- Responsibility vs. Accountability
- Responsibility at country & regional/global level



Third Parties – A Critical Challenge

- What standards should apply?
- How can Third Parties demonstrate compliance?
- Level of due diligence required
- Prospective and retrospective: How to deal with existing Third Parties
- Third Parties having international operations and partners
- Reliance on Third Parties to promote business or in public tenders



Third Parties – A Critical Challenge

- Benchmarking of compensation paid to Third Parties
- Use of contractual representatives & warranties
- Training of Third Parties
- Ongoing monitoring



Global Antibribery Policy: A Major Challenge

- Local laws & customs, applying local law on a global level
- Different country cultures & languages, respect for autonomy & “differences”
- Different organizational challenges, structures & cultures
- Does “one size fit all” & where do you set the bar: high or low?



Global Antibribery Policy: A Major Challenge

- Perception of US-centric approach to Anti-Corruption (“FCPA trainings”)
- Applying developed/developing country standards to an under developed country
- Operational silos risk-based approach
- Consistency & simplicity across functions & geographies
- Operationalizing the policy

Other Key Antibribery Compliance Topics

- Facilitating payments – only way of doing business in some countries? How to combat? Extortion requests?
- Tax and customs issues
- Varying degrees of transparency within local markets in terms of timing of tenders, criteria used to evaluate product dossiers, and presence of local generic competitors
- How do you train and reach all the levels of the organization?
- Monitoring and auditing