

OECD Convention Enforcement: Information on reporting of foreign bribery cases

Introduction

The OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (OECD Convention) obliges the states parties to hold accountable persons and companies under their jurisdiction for bribing a foreign public official in the context of their international business activities.

It is often difficult for a state to gain information about foreign bribery offences committed by persons and companies under its jurisdiction. Thus, the reporting of such activities by all available sources should be promoted as much as possible.

In certain foreign bribery cases, it will be easier to come to know about the bribery in the “demand side” country i.e. in the country where a public official has been bribed by an OECD-based company. Persons from the country where the bribe is paid should be encouraged to blow the whistle in transnational bribery cases. The easiest way for them to do so would be for them to report the case in their home country. However, for a range of reasons, such as distrust of local authorities or fear of personal disadvantages arising from insufficient whistleblower protection, the person might prefer to report information in the country of origin of the bribe. These concerns may also be shared by reporting persons in countries other than demand side countries, including persons in the supply-side country.

Hence, easily accessible reporting channels in OECD countries should be put in place, accompanied by adequate information on where to report such cases. In order to facilitate this, TI has gathered information on where and how foreign bribery cases can be reported in twelve countries party to the OECD Convention (see document attached). This information has been placed on TI's website so that any person wanting to report a foreign bribery case can obtain preliminary guidance on where to address his report.