

# Implementation & Enforcement of Global Anti-Corruption Standards in Poland: A Case Study

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# Dynamic Regulatory Environment

- Tailored B20-driven initiatives; multilateral treaties and regional efforts
- Effect of laws with extraterritorial reach (FCPA, UKBA)
- Influence of domestic policy: operations “Fox Hunt” (China) or “Car Wash” (Brazil)
- Increased cooperation between enforcement agencies and Multilateral Development Banks
- Between 2005 and 2014, Poland rose from 70<sup>th</sup> to 35<sup>th</sup> on Transparency International’s Corruption Perception Index

# Outline

- I. Evolution of the Polish Anti-Corruption Framework
  - A. Main Drivers of Change in Anti-Corruption Policy
  - B. Current Corruption Risk Profile
- II. Drawing Lessons for Ukraine from Poland's Experience
  - A. Select "Pressure Points" in Poland & Recommendations
  - B. New Ukrainian Laws and Policy
- III. Anti-Corruption Compliance As an Area of Cooperation between Poland and Ukraine for Policy and Business

# International Anti-Corruption Norms

- United Nations Convention against Corruption (signed on December 10, 2003 and ratified on September 15, 2006)
- OECD Convention on Combating Bribery of Foreign Public Officials In International Business Transactions (signed on December 17, 1997 and ratified on September 8, 2000)
- OECD Recommendation of the Council on Bribery and Officially Supported Export Credits (December 14, 2006)
- Council of Europe Criminal Law Convention on Corruption (signed on 27 January 1999, ratified on 11 December 2002)
- Council of Europe Civil Law Convention on Corruption (signed on 3 April 2001, ratified on 11 September 2002)
- Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime (signed on 5 November 1998, ratified on 20 December 2000)
- European Union Convention on the Fight against Corruption involving Officials of the European Communities or Officials of the EU Member States (ratified on 25 January 2005)
- Council Framework Decision 2003/568/JHA of 22 July 2003 on combating corruption in the private sector

# U.S. and U.K. enforcement agencies prosecuting conduct in Poland

- Examples of settlements include:
  - Hewlett-Packard
  - Johnson & Johnson
  - Stryker Corporation
  - Koninklijke Philips
  - Eli Lilly & Company
  - Alstom
  - Tyco Healthcare

# New Ukrainian Anti-Corruption Efforts

- 2014-2017 Anti-Corruption Strategy
- January 25, 2015, the Law of Ukraine “On the National Anticorruption Bureau of Ukraine”
- April 26, 2015, Law of Ukraine “On Prevention of Corruption”