

Anti-Bribery and Corruption (ABC) Active Protection™

How well is your organization protected against bribery and corruption?

Fighting bribery and corruption is not an option, but a necessity driven by ethical standards and compliance forces growing steadily around the world. The combination of reputational damage following a public investigation, the costly fines inflicted by multiple regulators and the imminent risk in criminal liability drives global organizations to build cohesive anti-bribery and corruption compliance programs.



Many of the existing programs today cater to a subset or more of the common ABC enforcement pillars:

- ✓ Tone at the top
- ✓ Employee and third-party training
- ✓ Secured whistleblowing channels
- ✓ Third-party due diligence

Despite these efforts, do bribery or corruption activities still occur in your organization? Can you tell from the hundreds or thousands of daily financial activities if some are in fact bribes or illicit payments?

Active Versus Passive ABC Programs

Many anti-bribery and corruption programs implemented today are PASSIVE - they react to the offense post factum, after it has been exposed by an internal audit or a whistleblower. However, technology-based analytics dissolve this paradigm. Using rule based risk engines, you can transfer your ABC program from PASSIVE to ACTIVE by continuously monitoring, detecting and even preventing activities that expose your organization to compliance risk.

Using the NICE Actimize active bribery and corruption monitoring system, you can identify red flags in daily operations and attest to their true nature in time to reduce the negative impact to your business.

Leading Global Regulators Call for Better Corporate Enforcement

In 2010, the Organisation for Economic Co-operation and Development (OECD) published the “Good Practice Guidance on Internal Controls, Ethics, And Compliance” guidance report. In Annex II, it specifies the measures it recommends organizations to implement to fight bribery and corruption, clearly stating the need to prevent and detect certain types of financial transactions such as employee expenses and corporate payments.

These recommendations were followed by the OECD Anti-Corruption Handbook, further emphasizing the need for improved operational controls to prevent bribery or corruption.

In addition, the United Nations published a practical guide for implementing an ABC program. Under the “Elements of a system of internal controls” section, the United Nations encourages corporations to seek to prevent as well as detect corruption by supporting and monitoring financial transactions, for example “monitor double or split payments to the same vendor in order to identify overpayments or circumventions of approval limits.”

Anti-Bribery and Corruption (ABC)



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In 2010, the United Kingdom issued the U.K. Bribery Act (UKBA) that raised the bar for anti-bribery and corruption enforcement by U.K.-affiliated organizations, requiring them to actively prevent bribery (section seven), including the ongoing scrutiny of suspicious transactions (section nine).

More recently in February 2017, the U.S. Department of Justice (DOJ) Criminal Division Fraud Section released the “Evaluation of Corporate Compliance Programs,” to provide guidelines for implementing a compliance program with emphasis on anti-bribery and corruption. One of the main sections addresses operational risk, and raises the need to monitor and analyze financial transactions to support the investigation and prevent misconduct. These guidelines come as an enforcement to articles already defined in the 2012 FCPA Guide published by the DOJ and the SEC.

In December 2017, in the 34th International Conference on the Foreign Corrupt Practices Act, Deputy Attorney General Rod Rosenstein announced the revised FCPA Corporate Enforcement Policy, to encourage companies to self-disclose. This allowed companies to self-detect and self-investigate, all pointing to a high-level of in-house data analysis capabilities.

Anti-bribery and corruption regulation is evolving, becoming more complex and challenging to enforce. Global regulators expect businesses to be on top of any suspicious activity within their organizations. But with large or complex business operations, manual controls are impractical. It's time to implement data driven compliance systems that manage and mitigate bribery and corruption compliance risk by monitoring transactions, business partners and employees.

Why change? Why now?

Technology is already transforming regulation programs into automated, data-driven enforcement systems. With today's technology, you can analyze real-time transactions and quickly stop those that are suspicious. The era of “not knowing” is over, as regulators realize it's only a matter of sheer will that stops a company from detecting and preventing bribery and corruption.

The NICE Actimize Anti-Bribery and Corruption Solutions Suite

Actimize's ABC solution suite monitors and automates all aspects of your ABC program, providing a single hub for managing bribery and corruption risk, including:

- Transaction monitoring: employee expenses, supplier invoices, customer payments and more
- Due diligence of business partners: watch list screening, onboarding, periodic reviews, risk grading
- Supervise employee training
- Centrally track whistleblowing reports
- Case management with full audit trail

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United Kingdom Bribery Act, 2010, <http://www.legislation.gov.uk/ukpga/2010/23/contents>

United Kingdom Bribery Act 2010 Guidance (section 9), <http://www.justice.gov.uk/downloads/legislation/bribery-act-2010-guidance.pdf>

“Evaluation of Corporate Compliance Programs”, DOJ, Feb 2017, <https://www.justice.gov/criminal-fraud/page/file/937501/download>

“A Resource Guide to the FCPA - U.S. Foreign Corrupt Practices Act”, DOJ & SEC, Nov 2012, <https://www.justice.gov/criminal/fraud/fcpa/guidance/guide.pdf>

US Attorneys Manual, Title 9-47 <https://www.justice.gov/usam/usam-9-47000-foreign-corrupt-practices-act-1977>

<https://www.justice.gov/opa/speech/deputy-attorney-general-rosenstein-delivers-remarks-34th-international-conference-foreign>