

Sharing Ideas and Successful Practices in Business Ethics Berlin, 2010

Summary Report prepared by Dr Nicole Dando, Head of Projects, Institute of Business Ethics, London

The seventh European Business Ethics Forum took place in Berlin in January. This was EBEF's first time in Germany. It was hosted jointly by the European Business Ethics Network and the ECOA (US), and organised with Cercle d'Éthique des Affaires-Cercle Européen des Déontologues (France) and the Institute of Business Ethics (UK).

This year over 80 participants enjoyed three plenary sessions. In the first, François Valérien (Head Private Sector Programmes, Transparency International Germany) and Dean D. Luchsinger (Vice President and Chief Ethics and Compliance Officer, AECOM Technologies) discussed 'doing business at the bottom of the TI corruption index (CPI)'. The session was introduced and moderated by: Renate Hornung-Draus, Managing Director, European and International Affairs, BDA – Confederation of German Employers' Associations.

Mr Valérien described TI's approach which includes promoting voluntary adherence to international anti-bribery and corruption agreements, and assisting organisations through such initiatives as anti-corruption factors in managers' pay reviews and withdrawing from a country when challenges are insurmountable. Mr Luchsinger explained how in AECOM, managers must obtain higher approval before they sign a contract for a country with a CPI greater than 3.5. Also, AECOM produces its own corruption risk maps and mitigation procedures that help staff walk away from problem contracts. Discussion talk about the "barred contractors lists" of the UN, World Bank and IMF.

For the second plenary Gary Brown from the US (Chair, Business Department; Baker, Donelson, Bearman, Caldwell & Berkowitz, P.C.) and Emmanuel Lulin from France (Director of Ethics, L'Oréal) debated whether the approach reflected in the U.S. Sentencing Commission guidelines was a feasible way to reduce corporate malpractice in the European context. Mr Brown began by suggesting that the law could not be a solution to ethical dilemmas and he gave a historical review of business crisis. The USSC demands an ethical culture but ultimately takes into account the strength of a company's compliance programme rather than making an ethical judgment. Emmanuel Lulin felt that the sentencing guidelines do work well in the States, but European companies often don't know about them. He thinks however that, like Camembert, the sentencing guidelines do not travel well! It helps with fair sentencing somewhat, but is unfair when all employees are punished for the actions of individuals.

On day two, Andreas Pohlmann, Chief Compliance Officer, Siemens AG, gave his perspective 3 years on from their corruption crisis and the independent investigation and the \$1.4 billion fine by the U.S. Department of Justice. He explained the need to focus on culture and people in order to change behaviours, as well as compliance processes, system tools guidelines, policies. He described the mechanisms that Siemens is using to do this and the importance of tone at the top.

The emphasis at this event is always sharing, and this is helped by the trusting and friendly atmosphere. During the conference, three programmes of four concurrent and interactive breakout sessions allowed participants to share their experiences with each other on topics including how to convince the board that your ethics programme is working, ethics on a shoe string, increasing respect for the ethics officer and ethical risks related to the use of social media. The break-out sessions are lead by one of the participants themselves – everyone is considered to have an expertise or experience worth sharing.

The participants enjoyed dinner at the impressive Bärensaal (Old City Hall). It was kindly made possible by this year's EBEF sponsors: EADS and L'Oreal.

Some comments from EBEF 2010 participants:

- Well presented with good topics, good moderators and good speakers.
- Diverse views on relevant topics.
- Topics particularly relevant this year to my business.
- -Issues are the same across the world, fantastic to talk to people experiencing similar issues and how they have managed them.

Planning for EBEF 2011 in London is already underway.

Date: 23rd to 25th February 2011

Confirmation of the location and save-the-date notices can be found on www.ebef.eu