



TRIANGLE
POLICY | RESEARCH | MEDIA

ARAB BUSINESS ENVIRONMENT LEGISLATIVE FRAMEWORK

ESCWA 2020



About Us



Who we are

Triangle was established in 2016 by its four founders who share the view that effective and progressive policy is grounded in empirical evidence alongside a compelling message. Triangle's extended network of consultants bring specialized expertise to each project in order to produce lasting results for clients.



What we do

Triangle conducts in-depth research, provides policy guidance and develops media outputs which cover economic, developmental and social issues. Triangle works with clients to develop a framework that meets their specific needs and leverage outputs across the firm's three focus areas.

POLICY

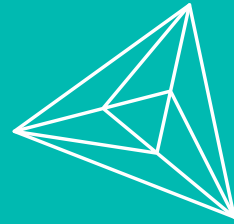


RESEARCH



MEDIA





Project Overview



Objective

- To provide ESCWA member countries with *the necessary tools including best practices in international and regional regulations, a repository of the existing regulatory frameworks in the region pertaining to business environment in addition to an assessment and analysis of the current legislations in a each member country and identifying the main challenges and recommendations for better and more efficient strategic planning process*



❖ Tasks:

1. • **Review of the stock of regulations** pertaining to foreign direct investment, competition, consumer protection and anticorruption in Arab countries
2. • **Collect and develop an interactive repository of regulations** related to each country that allows ease of access to information and continuity in terms of future amendments and revisions
3. • **Reflect best practices** in international and regional regulations
4. • **Map the current regulatory framework** for each country (18 countries – Bahrain, Egypt, Iraq, Jordan, Kuwait, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Sudan, Syria, Tunisia, UAE, and Yemen) to assess current legislations and identify the main challenges and recommendations vis-a-vis international benchmarks and best practices
5. • **Coordinate outputs** with the respective project lead.

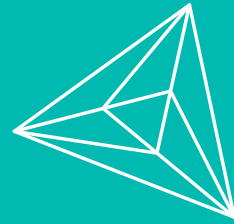


❖ Outputs

An interactive and user-friendly bank or repository of the current business environment laws and regulation in the Arab region pertaining to foreign direct investment, competition, consumer protection and anticorruption.

A comparative evaluation matrix to assess the current legislations in each member country (what is available and what is not)

A technical paper to present the best international and regional practices in legislations pertaining to the business environment in the Arab region including frameworks of laws and regulations on foreign direct investment, competition, consumer protection and anticorruption. The paper *will also include an assessment of the main challenges and recommendations for better and more efficient strategic planning process*



Methodology



Themes/Headlines for Criteria Questions



- Laws/Decrees (i.e. national legislations/regulations)***
- Definitions (i.e. legal definitions within legislation/treaties)***
- Institutions (i.e. bodies/authorities)***
- International Agreements (regional/international conventions, treaties, trade agreements)***
- Enforcement (i.e. positive or negative, such as incentives, subsidizes, sanctions, fines, prison sentences)***
- Exemptions***
- Accessibility/Transparency***



❖ Criteria Questions – Main Headings

Competition:

Anti-Trust and Competition Laws

Anti-Dominance and Monopolisation Laws

Cartels and Anti-Competition Agreements

International Trade Agreements

Liberalisation and Competition Intervention in Regulated Sectors

Merger Regulatory Regime

Labour Protection

Foreign Direct Investment (FDI):

Banking Regulations

Macroeconomic Policies

Investment Regulatory Framework

Incentivisation Schemes

Bi-lateral Treaties

Tax Incentives



❖ Criteria Questions – Main Headings

Anti-Corruption:

- Anti-Corruption and Integrity in Public Sector
- Anti-Bribery and Whistle Blow Laws
- Budgeting and Public Expenditures
- Digital Government
- Open Government and Transparency
- Public Employment and Management
- Public Procurement Standards

Consumer Protection:

- Physical Safety Regulations
- Protection of Consumers' Economic Interests
- Standards for Safety and Quality of Consumer Goods and Services
- Distribution Facilities for Essential Consumer Goods and Services
- Measures Enabling Consumers to Obtain Redress
- Promotion of Sustainable Consumption

195 Yes/No Questions; in addition to further follow-up questions



❖ Benchmarks/Checklist for Comparison

- ❑ *Consumers International Guidelines on Consumer Protection Law*
- ❑ *International Chamber of Commerce checklist*
- ❑ *International Labor Organization guidelines*
- ❑ *OCED checklist (various)*
- ❑ *Transparency International Checklist on Corruption/Transparency*
- ❑ *UK Government Guidelines on Combating Corruption*
- ❑ *UNCTAD checklist (various)*



❖ Key Regional/International Agreements

- ❑ *Arab Convention on Combating Corruption*
- ❑ *OCED Convention on Anti-Bribery*
- ❑ *Greater Arab Free Trade Area (GAFTA)*
- ❑ *UN Guidelines on Consumer Protection*
- ❑ *UN Set of Principles and Rules on Competition*
- ❑ *OPEC Statute*
- ❑ *General Agreement on Tariffs and Trade (GATT)/General Agreement on Trade in Service (GATS)*



Projected Timeline

| Research Component§§§ | Feb. 1, 2020 | Feb. 17, 2020 | Feb 29, 2020 | Mar 5, 2020 | Mar 31, 2020 | April 15, 2020 | April 30, 2020 | May 15, 2020 | May 31, 2020 | June 15, 2020 | June 30, 2020 | July 15, 2020 | July 31, 2020 |
|--|--------------------------|---------------|--------------|-------------|-------------------------------|----------------|----------------|--------------|-------------------------------------|---------------|---------------|---------------|---------------|
| Phases | Phase 1: Inception Phase | | | | Phase 2: Implementation Phase | | | | Phase 3: Analysis & Reporting Phase | | | | |
| Kick-off Meeting | Active | | | | | | | | | | | | |
| Preliminary Literature Review | | Active | | | | | | | | | | | |
| Research Protocol Submission & Approval | | Active | Active | | | | | | | | | | |
| Comprehensive Literature Review | | | Active | | | | | | | | | | |
| Tools Development | | | Active | Active | | | | | | | | | |
| Submission of Research Protocol Amendments | | | | Active | | | | | | | | | |
| Site Scoping & Testing of Tools | | | | | Active | | | | | | | | |
| Data Collection | | | | | Active | Active | Active | Active | Active | | | | |
| Analysis and scoring (2 Rounds) | | | | | | | | | Active | Active | | | |
| Preliminary Findings Presentation | | | | | | | | | | | Active | | |
| Comments, gap analysis & report writing | | | | | | | | | | | Active | Active | |
| Draft Full Scale Report | | | | | | | | | | | | Active | |
| Final Report Submission & Presentation | | | | | | | | | | | | Active | Active |



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