

**FINANCIAL
ACCOUNTABILITY
TRANSPARENCY &
INTEGRITY**

Report on the survey of the private sector conducted by the High-Level Panel on International Financial Accountability, Transparency and Integrity for Achieving the 2030 Agenda

16 October 2020

I. Background

1. An online survey of the private sector was conducted from 12 to 31 August 2020. The survey solicited inputs from private sector actors on the issues and challenges in the areas of financial accountability, transparency and integrity, as identified by the FACTI Panel.
2. The survey was circulated through multiple private sector networks and forums, including professional associations, chambers of commerce, institutional entities, and a collection of individual businesses to encourage involvement of a broad, cross-section of the private sector in terms of both size and location.
3. A total of 141 valid responses were received, with a wide geographical variety (headquarters in 65 different countries), from different backgrounds (e.g. financial sector, professional services, manufacturing, construction, retail, legal services, education) with various sizes, natures and scopes of business. The relatively small sample size means the results are only indicative and not statistically significant, but given the wide variety of respondents can help to further validate the findings of the Panel.

II. Key findings

4. More than 90% of respondents would welcome **stronger financial accountability, transparency and integrity regulations** when all businesses are held to the same standards.
5. Business actors assess and slightly prioritize regulatory compliance over revenue growth in tax planning practices. They consider **creating a fair and sustainable system, reducing double taxation and addressing tax evasion** as the most urgent actions required in international tax cooperation.
6. Respondents expect **more consistency, predictability and stability in both international and domestic taxation environments** and are increasingly paying attention to taxation of the digital economy.
7. Respondents welcome improving transparency, standardization and digitalization in addressing tax avoidance and evasion, including **establishing a digital filing system, setting up international tax tribunals and standardising global tax rates**.
8. Corruption and bribery have adverse effects on international trade and investment according to the responses. **Nearly two out of three report having been negatively impacted by bribery to some extent.**
9. **No developed country businesses think the international bribery framework is overburdensome.** However, there is dissatisfaction with current international anti-bribery/anti-corruption frameworks. Respondents are concerned over **the absence of a global oversight mechanism, uneven implementation and enforcement, inconsistent and opaque anti-bribery processes, and a lack of standardisation.** Proposals include improving transparency, strengthening law-enforcement, establishing whistle-blower mechanisms and education.
10. Developing country businesses are more welcoming of **strengthening beneficial ownership information, especially public availability** than respondents in developed countries. Overall, greater importance is attached to the **punishment of false reporting, ensuring up-to-date and verified information** in the practice of beneficial ownership transparency; but **cross-border registries, public accessibility and international enforcement mechanisms** are also relatively important. It is suggested that an international strategic plan is needed to ensure

openness, transparency, universality, periodic evaluation and better connection between private and public sectors.

11. Financial and professional service sector actors express relative satisfaction over FATF standards and guidance on AML and CFT and the implementation in business, but also express hope for **strengthening regulation, supervision and timely responses by national authorities**. They further emphasize the importance of **prevention orientation, self-regulation and public supervision** in implementing these standards.
12. There is generally a **low level of willingness of professional service actors to reject, or report to authorities, requests for illegal or abusive structures** from clients, such as hiding beneficial information or tax evasion.
13. The respondents regard **strengthened cooperation between competent authorities** as important in the asset recovery and return process.

III. Methodology

14. The survey was conducted on the SurveyMonkey platform. Invites were sent through various networks including UN Global Compact, UN GISD, FATF Private Sector Forum, B20 Integrity and Compliance Taskforce and International Chamber of Commerce, as well as to more than 100 individual companies, associations, chambers of commerce, and business leaders. Online promotion has also been conducted through multiple social media channels and the FACTI Panel website.
15. The questions cover main areas related to the work of FACTI Panel, including international tax policies, anti-bribery and anti-corruption measures, financial and beneficial ownership transparency, and recovery and return of assets.
16. Further comparisons of responses are also conducted based on where the business headquarters are located, that is, those from developing countries and developed countries (according to M49 statistical classification), to gain deeper insights into the perceptions among different groups of business actors.

IV. Results and analysis

Section 1 – General information

17. Demographic questions are asked about the countries of the respondents and their business headquarters: 63 different personal locations (top 10: United States of America, Côte D'Ivoire, Lebanon, India, Mexico, United Kingdom of Great Britain and Northern Ireland, Brazil, Albania, Argentina, Australia) and 65 different business headquarters locations (top 10: United States of America, Côte D'Ivoire, Lebanon, India, United Kingdom of Great Britain and Northern Ireland, France, Turkey, Argentina, Brazil, Germany) were selected.

18. Various areas of commercial operations were selected, with the majority from professional services (28.4%) and the financial sector (22%). Apart from those listed in the menu, other types of business include legal services and education.

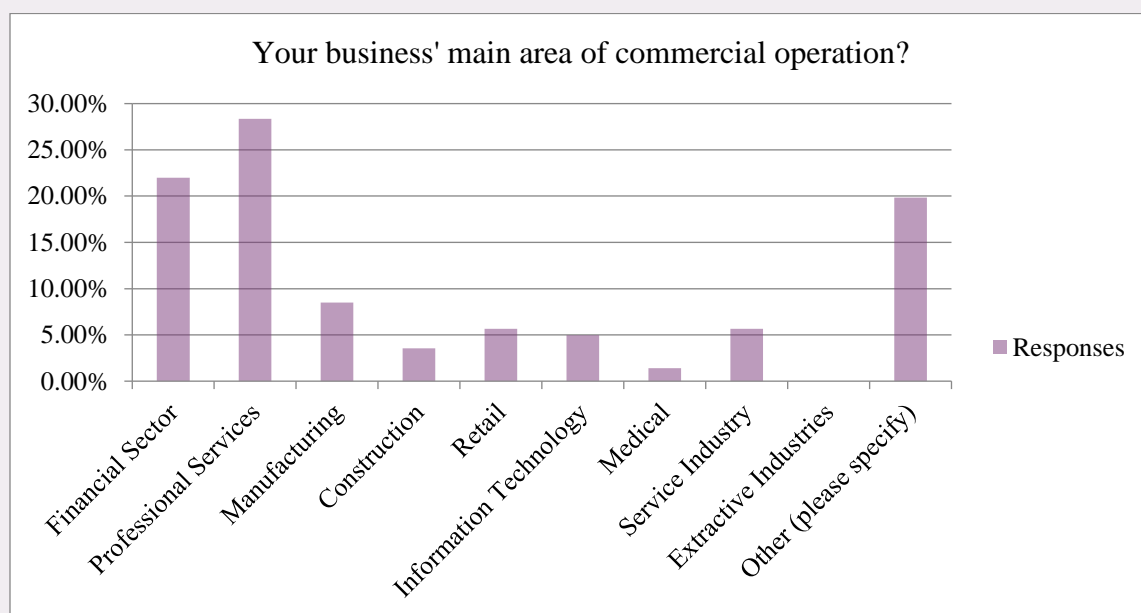


Figure 1. Main areas of business operation

19. More than 60% of respondents report their businesses operate in two or more countries, with 17.2% reported in more than 20 countries. 39.1% businesses have 10-249 employees, followed by those who have less than 10 employees (29.8%), 250-4999 (16.3%) and more than 5000 (14.9%).

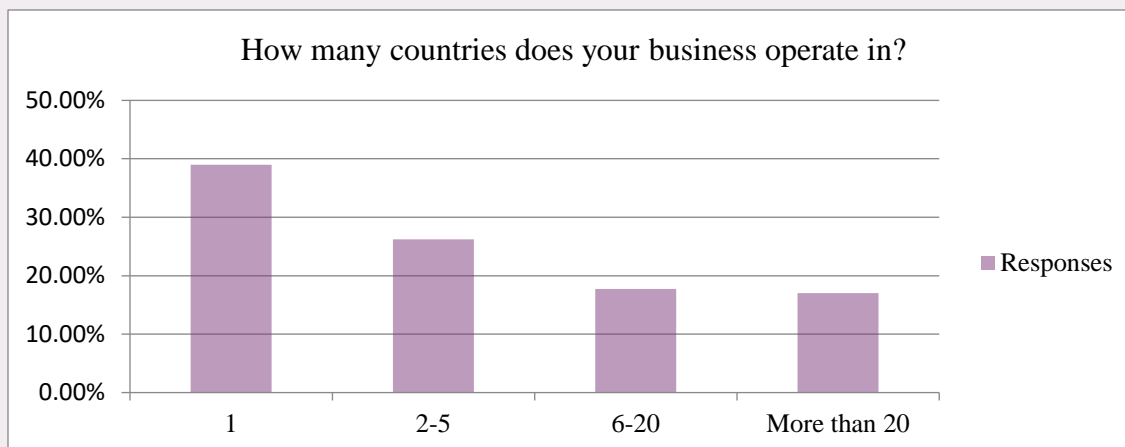


Figure 2. Number of countries of business operation

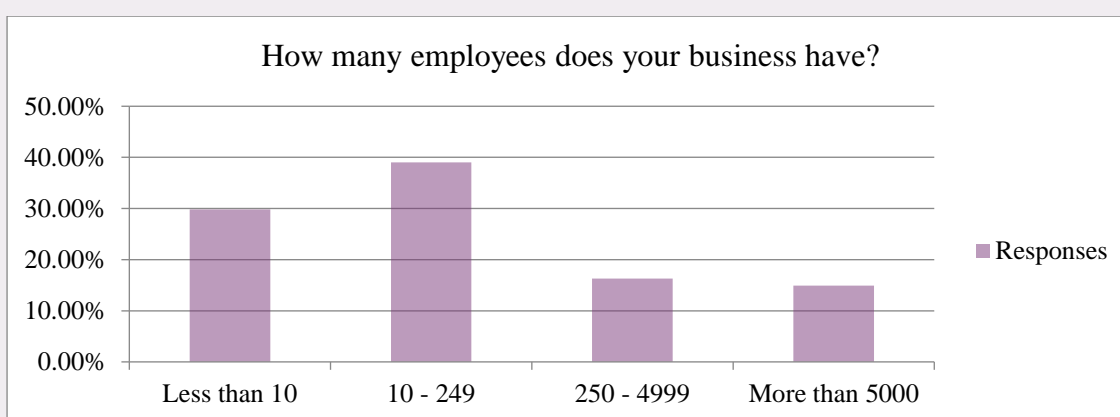


Figure 3. Number of employees of business

20. A total of 100 respondents report currently subscribing to or using certain international norms, standards or initiatives related to sustainability, including UN Global Compact, PRI, GRI, etc. Others include International Financial Reporting Standards (IFRS), International Accounting Standards (IAS), etc.

What international norms, standards or initiatives related to sustainability does your business currently subscribe to or use?		
Answer Choices	Responses	
UN Global Compact	47%	47
UN Principles for Responsible Investment	33%	33
Global Reporting Initiative (GRI) Standards	41%	41
Climate-related financial disclosure (TCFD Recommendations/Climate Disclosure Standards Board)	21%	21
Fair Tax Mark	18%	18
Certified B Corporation	9%	9
Other (please specify)	26%	26
Total	100.00%	100

Table 1. International norms, standards or initiatives subscription

Section 2 – Tax policies

21. Regarding tax planning practices, respondents assess that in balancing **tax compliance** and **liability reduction**, tax compliance is rated more highly (average rating 6.9/10) in their own business. However, respondents had a more negative view of competitors, which they rated as putting a greater weight on liability reduction (average rating 5.4/10). They also expressed a personal preference for their businesses **respecting the spirit of law** at a level slightly higher than where they ranked the actual company practice.
22. On gaps in international tax cooperation, on the whole, “Creating a system that is fair to all stakeholders, and thus sustainable over time” is considered to need urgent action (64.8%), followed by “reducing double taxation” (51.1%) and “addressing tax evasion and tax avoidance” (48.9%). Respondents also list other answers like “reducing presumptive tax evasion without evidence”, “consistency” and “governmental corruption”.

What issues in international tax cooperation require the most urgent action?	
Answer Choices	Responses
Addressing tax evasion and tax avoidance	48.86%
Reducing double taxation	51.14%
Improving information exchange among tax authorities of different countries	39.77%
Offer more tax certainty	30.68%
Creating a system that is fair to all stakeholders, and thus sustainable over time	64.77%
Other (please specify)	6.82%
Total	100.00%

Table 2. Issues in international tax cooperation require the most urgent action

23. By comparing the answers of businesses that are from developing countries and those from developed countries, it was found that developing countries’ businesses tend to prioritize fairness and sustainability in the system more, and those from developed countries value fairness and reducing double taxation the most.



Figure 4. Percentage of answers in developing and developed country businesses

24. Q9 was asked to understand major concerns of business in the global taxation environment. The top 3 choices were “**consistency and predictability in international tax rules**“, “**consistency of domestic legislation in the absence of treaties**“, and “**taxation of digitalized economy and international tax dispute resolution**”. This reflects a general preference and appeal for a stable, consistent and predictable taxation environment, as well as increasing attention to digital taxation.

How important is international action on the following issues?	
Issues	Ratings
Increased consistency and predictability in international tax rules	4.12/5
Improving consistency of domestic legislation in the absence of treaties	4.1/5
Achieving international consensus on taxation of the digitalized economy	4.08/5
Improving international tax dispute resolution procedures	4.06/5
Fairly taxing digital businesses to level the playing field with traditional business models	3.97/5
Improving the efficiency of withholding tax systems	3.84/5
Publishing country-by-country financial/tax reports for multinational enterprises	3.78/5
Simplifying transfer pricing rules	3.77/5
Better aligning taxation with the location of markets	3.78/5
Reducing international profit shifting to level the business playing field	3.51/5

(1= Not at all important, 5= Extremely important)

Table 3. Importance of international cooperation on specific issues

25. It was observed that responses from developing countries give higher value to most of the issues. The only time developed country businesses rate an issue as more important than those in developing countries is “Increased consistency and predictability in international tax rules”.



Figure 5. Importance of international cooperation on specific issues (comparison)

26. Q10 aimed to solicit proposals to address the global rise of tax evasion and avoidance. Suggestions from respondents are found in the table below.

Do you have suggestions for effective international tax policy to address the global rise of tax avoidance and tax evasion?
Answers
Worldwide global dateable and traceable filings online
International taxation tribunal
Eliminate tax havens and reduce ability of accountants and lawyers to find loopholes for tax avoidance/evasion.
Standardize tax rates in a universal way
Transparency among nations
Do not believe there should be a centralized global policy to do that
Focus on penalizing tax evasion, not tax avoidance

Table 4. International tax policies to address rising tax avoidance and evasion

Section 3 – Anti-bribery and anti-corruption measures

27. Q11 was asked to survey perceptions of the current situation and the impact of corruption and bribery in international business. Respondents highly agree with the adverse impacts of bribery (4.23/5) and corruption (4.19/5) on trade and investment,

with slightly lower reporting that corruption affects their own business (3.71/5). Respondents were not optimistic about the trends in corruption and bribery (3.11/5). On average, respondents from developing countries agreed with all of the statements more than respondents from developed countries.

To what extent do you agree with the following statements?	
Statements	Ratings
“Bribery in international business transactions is a major hindrance to overall international trade and investment”	4.23/5
“The risk of corruption of the country is a major concern for your investment and operation”	4.19/5
“Corruption is a major impediment to your business”	3.71/5
“Corruption and bribery have declined due to international standards and rules”	3.11/5

(1= Completely disagree, 5= Completely Agree)

Table 5. Extent of agreement on the impact of corruption and bribery on international trade and investment

Statement	Developped Countries	Developping Countries
Corruption is a major impediment to your business	3.25/5	3.91/5
Bribery in international business transactions is a major hindrance to overall international trade and investment	4.08/5	4.30/5
The risk of corruption of the country is a major concern for your investment and operation	4.04/5	4.25/5
Corruption and bribery have declined due to international standards and rules	2.82/5	3.24/5

Table 6. Crosstab comparison for Q11

28. Q12 aims to understand businesses’ evaluation of the current international anti-bribery framework. 39.5% respond that it is somewhat or completely inadequate to address the problem, while 12.4% feel it is balanced and 32.1% indicate that it somewhat or completely overburdens them. While the response weighs heavily on both sides, it reflects **that the framework is rather balanced, though perhaps ineffective**. Comments include concerns over the lack of a global oversight mechanism; uneven implementation and enforcement; inconsistent and opaque processes, and absence of standardization. **No developed country businesses responded that the international bribery framework is overburdensome.**

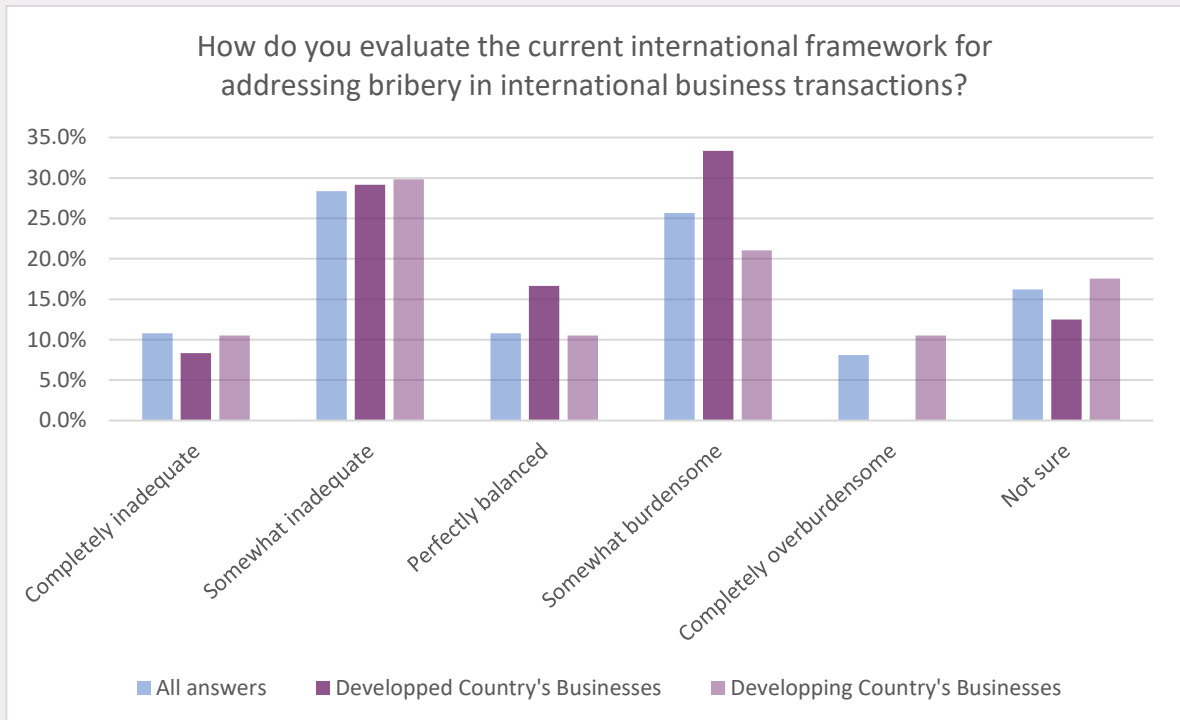


Figure 6. Evaluation of current international anti-bribery framework

29. Q13 aims to evaluate if bribery demands or bribes paid by competitors negatively affect the respondent's business. **64.1% of respondents report business negatively impacted by bribery to some extent.** Comments include concerns about the damage caused to rules of competition and efficiency, quality and the goals of the projects.



Figure 7. Evaluation of negative impact of bribery on business

30. Q14 aimed to solicit ideas, endeavours or suggested initiatives to address bribery in international business transactions to reduce corruption. Suggestions received are listed in the table.

What, in your opinion, could the government and/or the private sector do to address bribery in international business transactions and reduce corruption?
Answers
Transparent reporting on the nature and amount of "commissions" paid by the large financial institutions would help.
Shine a light on restrictive regulatory practices that have the effect of distorting markets, especially the addition of legislation aimed at penalizing regional markets
Educate voters how to choose better leaders and a strong and aggressive cultural and social mindset change
Create global whistleblowing line
The most effective measure is enforcement

Table 7. Proposals to address bribery in international business and reduce corruption

Section 4 – Beneficial ownership information

31. Q15 was asked to survey perceptions on the importance of improvement to current practice in relation to transparency of legal or beneficial ownership while taking into consideration the cost entailed to the private sector. While respondents attach great importance to all the issues (all higher than 4.1/5), the top three most important issues are **law enforcement; up to date information and verification of ownership information**. Developing country businesses are more positive to strengthening beneficial ownership information, especially public availability.

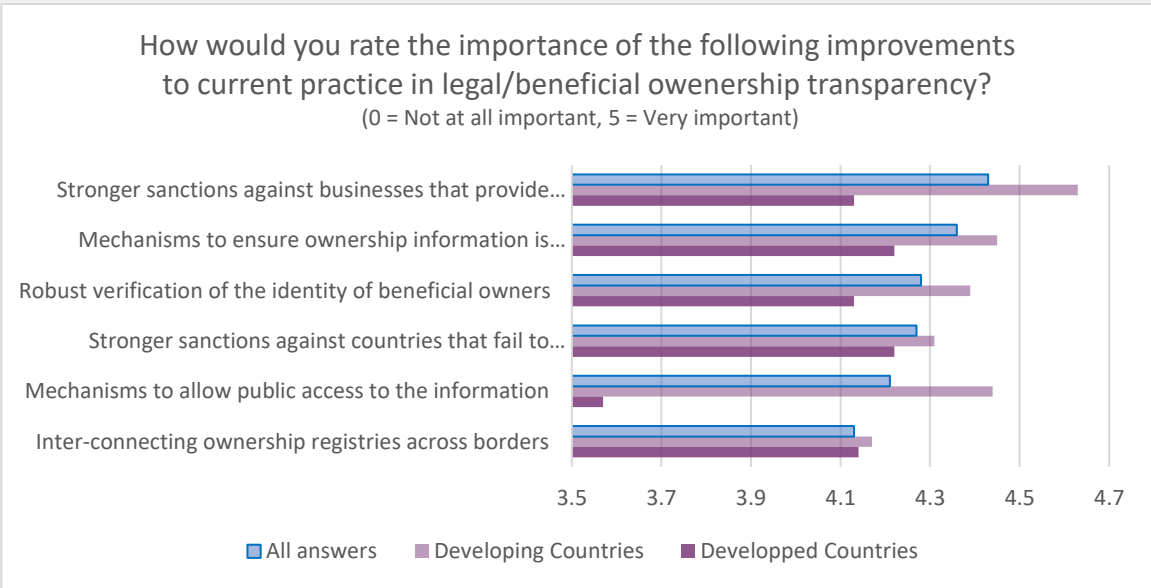


Figure 8. Importance of improvements to practice in legal/beneficial ownership transparency

32. Q16 aimed to solicit ideas on international action to promote beneficial ownership information. Received proposals are in the table below.

What should a strategic plan for the international community to promote financial and beneficial ownership look like, its key elements and challenges?
Answers
Build on approaches that embrace openness
More private sector links to the public sector
There should be rigorous review every five years of the positive or negative effect that such registers have on national economies, of all types. The aggregated financial impact reports should be made public, and must include the impact that first-world driven legislation has on the economic development of the third world.
More transparent action
Transparency and publicity is the key
ISO anti-corruption certification and compliance
Where there is legitimate collection of such information by national bodies, it should be made accessible to law enforcement agencies and regulators, but not the press or general public.
These registers cannot become another form of colonialism to mask the tax-inefficiency of larger jurisdictions. It should therefore become an international standard that registries have on single format, and that ALL countries use and maintain information in the agreed-upon format. In this way the playing field is leveled, and the information cannot be used for the political or competitive benefit of one country over another.

Table 8. Proposals to promote financial and beneficial ownership

Section 5 – Industry specific questions on AML/CFT

33. Q18 was designed specifically for financial services and professional services to give their assessment of FATF standards and guidance on anti-money laundering and combating the financing of terrorism (AML/CFT) and their implementation in business; 42 responses were received. Respondents express **relative satisfaction with the criteria overall**, but **somewhat less with regulation, supervision and timely response by national authorities**. Comments include emphasis on prevention orientation, self-regulation and public supervision.

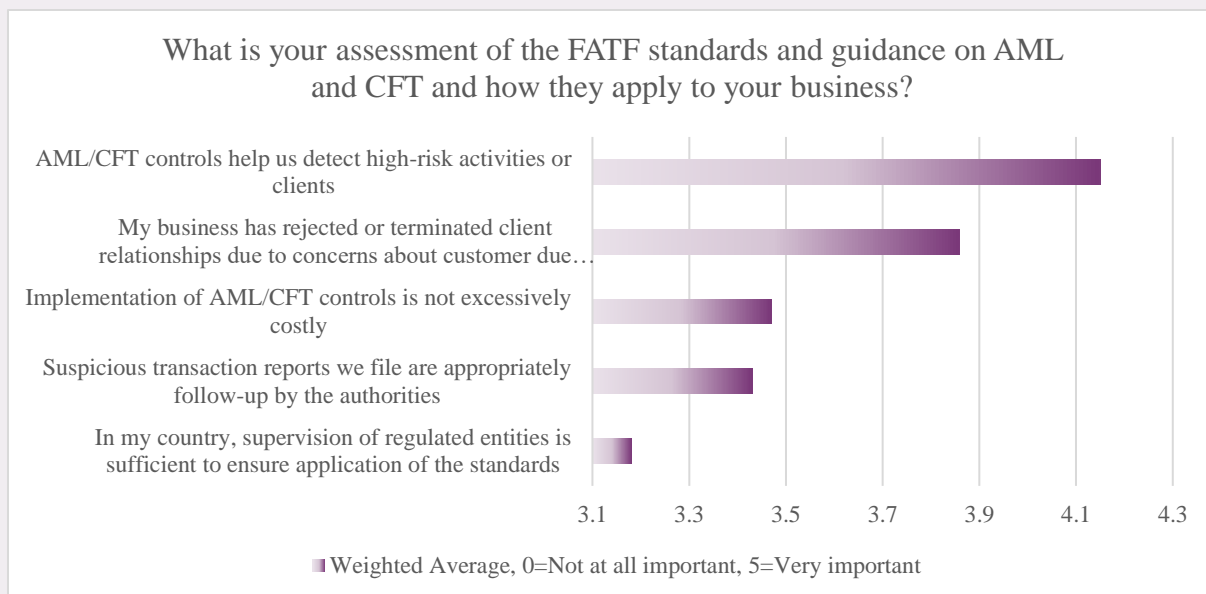
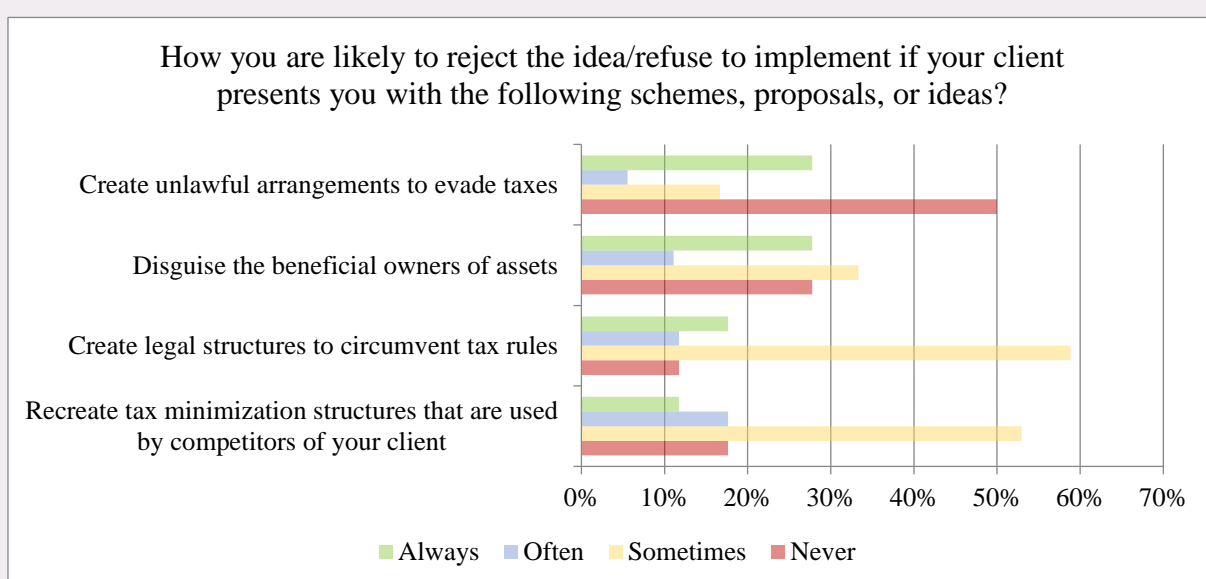


Figure 9. Assessment of FATF standards and implementation in business

34. Q19 was designed specifically for professional services, to survey their likely response to requests from clients for illegal actions or abusive practices; 19 responses were received. Among the four scenarios, respondents report more willingness — although at a low level — to reject requests to **“Create legal structures to circumvent tax rules”** and **“Recreate tax minimization structures that are used by competitors of your client”**, in contrast to **“Disguise the beneficial owners of assets”** and **“Create unlawful arrangements to evade taxes”**. But under all circumstances, the respondents show a low level of inclination to report such proposals to the authorities.



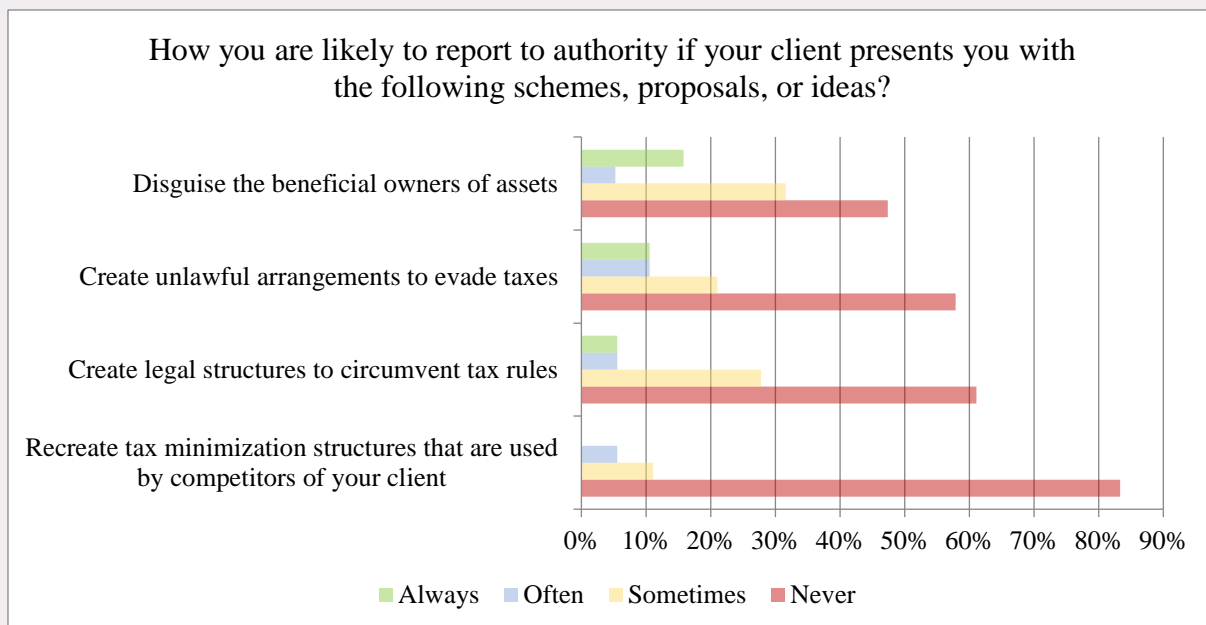


Figure 10. Results of professional service sector specific questions

35. Q20 and Q21 aimed to solicit suggestions on asset recovery and return processes. Responses include improving cooperation between competent authorities; ensuring transparency; establishing asset registry, and bilateral or multilateral treaties.

Can you provide suggestions for improving asset recovery and return processes?
Answers
The punishment must exceed the benefits of the behaviours
The single largest problem is to determine who is and who is not a criminal. By the standards of the UK, many people convicted of crimes in Russia would not be criminals in the UK, and many who are involved in bankruptcies in the US would be convicted of criminal activity in the UK, which under US law is legitimate practice and therefore not criminal. Etc.
All assets, personal or public, should be inventoried and recorded in order to avoid misappropriation
Implementation from the grassroots levels and support system from the government such as stricter rules, policies and ordinances.
Organization transparency
Improve cooperation between entities and countries in the processing of financial information
Improve cooperation among law enforcement authorities Require financial institutions to cooperate

Table 9. Proposals to improve asset recovery and return

Section 6 – Survey conclusion

36. In conclusion, the respondents were asked to assess the extent to which they would welcome stronger financial accountability, transparency and integrity regulations if

all businesses are held to the same standards. As many as 88.6% of answers agree or completely agree with the statement.



Figure 11. Extent of support to stronger financial accountability, transparency and integrity regulations

V. Annex

Questionnaire

Introduction

Welcome to this survey of the private sector on financial accountability, transparency and integrity issues. The survey will inform the High-Level Panel on International Financial Accountability, Transparency and Integrity for the Achieving the 2030 Agenda (FACTI Panel). The Panel was created to bring fresh ideas into international discussions on how to combat tax avoidance, tax evasion, corruption and other financial crimes. For more information on the Panel's focused areas and working methods, we invite you to look at the ISSUES NOTE and see <http://www.factipanel.org>.

The results of the survey will contribute to the FACTI Panel interim report, to be presented in September 2020, and the final report expected in February 2021. The results will illustrate the priorities and expectations of private sector actors related to financial integrity. Kindly complete the questionnaire by 31 August 2020. The answers will be anonymous. Questions can be addressed to the FACTI Panel secretariat at info@factipanel.org.

Section I: general information (* all mandatory)

1. Please select your location: LIST OF COUNTRY/TERRITORY/OTHER
2. If different, please select the location of your business' headquarters: LIST OF COUNTRY/TERRITORY/OTHER
3. Your main area of commercial operation? [LIST OF INDUSTRY TYPE: Financial sector, Professional services, Manufacturing, Construction, Retail, Information technology, Medical, Service Industry, Extractive industries, Others]
4. How many countries does your business operate in? (1, 2-5, 6-20, more than 20)
5. How many employees does your business have? (less than 10, 10-249, 250-4999, 5000+)

What international norms, standards or initiatives related to sustainability does your business currently subscribe to or use? Tick all that apply.

- UN Global Compact
- UN Principles for Responsible Investment
- Global Reporting Initiative (GRI) Standards
- Climate-related financial disclosure (TCFD Recommendations/Climate Disclosure Standards Board)

- Fair Tax Mark
- Certified B Corporation

Section II: Tax policies

Taxation is a vital means by which enterprises contribute to societies around the world. This section aims to understand the views and experience of businesses on the equity, relevance and applicability of international tax policies, as well as the challenges and risks.

International tax cooperation is conducted in many places including the OECD, United Nations, Inclusive Framework on BEPS, and many regional and bilateral arrangements.

6. Tax planning to reduce total tax liabilities can improve return to shareholders, but also puts your business in grey areas of legality, carries reputational risks and raises ethical dilemmas. To what degree do you assess your business in the following questions? (scale 1-10; 1= total focused on reducing tax liability without regard to risks, 10= totally focused on being good corporate citizens, fairly contributing to public finance, and respecting the spirit of the law)

- Where do you think the balance currently lies within your business?
- Where do you think the balance lies within competitor businesses in your market?
- Where would you like the balance to be for your business?

8. From your personal view, what issues in international tax cooperation do you think require the most urgent action? Options for select boxes:

- Addressing tax evasion and tax avoidance;
- Reducing double taxation;
- Improving information exchange among tax authorities of different countries;
- Offer more tax certainty;
- Creating a system that is fair to all stakeholders, and thus sustainable over time;
- Others (open response)

9. How important would your company consider international action on the following issues: (scale 1-5; 1= Not at all important, 5= urgent/extremely important, with a N/A option)

- Reducing international profit shifting to level the business playing field
- Simplifying transfer pricing rules
- Achieving international consensus on taxation of the digitalized economy

- Fairly taxing digital businesses to level the playing field with traditional business models
- Improving international tax dispute resolution procedures
- Improving the efficiency of withholding tax systems
- Increased consistency and predictability in international tax rules
- Improving consistency of domestic legislation in the absence of treaties
- Better aligning taxation with the location of markets
- Publishing country-by-country financial/tax reports for multinational enterprises

10. Do you have suggestions for effective international tax policy to address the global rise of tax avoidance and tax evasion?

Section III: Anti-bribery and anti-corruption measures

Corruption, including bribery is a complex social, political and economic phenomenon that affects all countries. This section will survey perspectives and relevance of this issue, focusing on the international dimension. International norms in this area are set in many venues, including the United Nations Convention Against Corruption, the OECD Anti-Bribery Convention, and numerous regional mechanisms.

11. To what extent do you agree with the following statements? Please use the 5-point scale (where 1 is completely disagree and 5 is completely agree) or indicate “Not sure”. Please elaborate on your choices if applicable.

- “corruption is a major impediment to your business”
- “bribery in international business transactions is a major hindrance to overall international trade and investment”
- “the risk of corruption of the country is a major concern for your investment and operation “
- “corruption and bribery have declined due to international standards and rules “

12. How do you evaluate the current international framework/landscape aimed to address bribery in international business transactions? Please use the 5-point scale provided (completely inadequate to address the problem, somewhat inadequate, perfectly balanced, somewhat burdensome, completely overburdensome) Please elaborate [we are particularly interested in getting your views about possible gaps or weaknesses in the international landscape]

13. Please rate how much you think bribery demands you have faced and/or bribery engaged in by competitors have negatively impacted your business? Please use the 5-point scale provided (where 1 is none and 5 is extremely significant impact) or indicate “Not sure”. Please elaborate on your choice if applicable.

14. What, in your opinion, could the government and/or the private sector do to address bribery in international business transactions and reduce corruption? Please elaborate with one or two specific ideas, endeavors or initiatives [open response]

Section IV: Beneficial ownership information

A beneficial owner of an entity is the natural person that ultimately controls or profits from that entity. This definition was developed in the Financial Action Task Force (FATF) standards on anti-money laundering and countering the financing of terrorism (AML/CFT), but also used by the Global Forum for Exchange of Information for Tax Purposes. This section aims to gather perspectives on the maintenance of beneficial ownership information from business.

15. Greater transparency about the legal and beneficial ownership of companies, trusts and other legal entities is being discussed among policy makers. This may help companies better conduct due diligence on suppliers, partners, and clients; it may also entail costs for the private sector in terms of compliance. In order to make such a system useful to you, but not overly burdensome, on a scale of 1-5, how would you rank the following? (1 = not at all important, 5 = very important, or indicate “Not sure”)?

- Robust verification of the identity of beneficial owners
- Mechanisms to ensure ownership information is kept up to date
- Inter-connecting ownership registries across borders;
- Stronger sanctions against businesses that provide false information
- Stronger sanctions against countries that fail to meet global standards
- Mechanisms to allow public access to the information

16. In your view, what should a strategic plan for the international community to promote financial and beneficial ownership look like? What key elements should it include and major challenges address in such a plan?

Section IV: Industry specific questions

IF Question 3 = Extractive industries

17. As your business is involved in the extractive industries, please rate the effectiveness of the Extractive Industries Transparency Initiative (EITI) in balancing the public good of transparency and accountability with business’ desires for confidentiality (scale 1-10; 1= completely insufficient or ineffective in creating incentives for transparency and accountability, 5= just right in setting incentives and encouraging transparency, 10= excessive rules and completely unnecessary demands for transparency, plus “Not sure/Not applicable”)

IF Question 3 = Financial services or Professional services

18. Please provide your assessment of the Financial Action Task Force (FATF) Standards and guidance on anti-money laundering and countering the financing of terrorism (AML/CFT) and how they apply to your business, along the following criteria. Please use the 5-point scale (where 1 is completely disagree and 5 is completely agree) or indicate “Not sure”. Please elaborate on your choices if applicable.

- AML/CFT controls help us detect high-risk activities or clients
- My business has rejected or terminated client relationships due to concerns about customer due diligence (CDD) or other AML/CFT matters
- Implementation of AML/CFT controls is not excessively costly
- Suspicious transaction reports we file are appropriately follow-up by the authorities
- In my country, supervision of regulated entities is sufficient to ensure application of the standards

Comments:

IF Question 3 = Professional services

19. As a professional service provider, please indicate how you are likely to respond if your client presents you with the following schemes, proposals, or ideas:

<i>Action taken</i>	<i>Reject the idea/refuse to implement</i>				<i>Report the scheme to authorities</i>				
	<u>Request</u>	Never	Sometimes	Often	Always	Never	Sometimes	Often	Always
Disguise the beneficial owners of assets									
Create unlawful arrangement									

s to evade taxes								
Create legal structures to circumvent tax rules								
Recreate tax minimization structures that are used by competitors of your client								

20. Are you involved in the practice of asset recovery and return? (If no, directed to question 20)

21. *The international community has agreed on the principle that criminals should not benefit financially from the proceeds of their crimes. Can you provide some suggestions for improving asset recovery and return processes?*

Section V: Conclusions

22. To what extent do you agree with the statement “My business welcomes stronger financial accountability, transparency and integrity regulations as long as all businesses are held to the same standards”? Please use the 5-point scale (where 1 is “completely disagree” and 5 is “completely agree”) or “Not sure”. Please elaborate on your choice if applicable.

23. Are there any other suggestions you would like to share? Please use this space to provide any other information, comments or remarks you deem necessary.

24. Can we contact you to discuss your response? If so, please indicate your name and email address below.