



ANNUAL REPORT 2016 >

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A MESSAGE BY ICC SECRETARY GENERAL



A tsunami of anti-globalization is inundating the western world and destabilizing the very foundations of the collaborative economic and social consensus that has brought us so much progress over the last half century.

Open trade is being challenged by atavistic protectionism and economic nationalism, tainted with xenophobic undertones and threats of import tariffs that would bring real hardship for many across the world.

For almost 100 years, ICC has been a beacon for global economic growth, prosperity and peace.

Our close working relationship with the World Trade Organization to strengthen the rules-based multilateral trading system has done so much to create economic opportunity for millions across the world.

And the United Nations' recent acknowledgment of ICC as the voice of world business through the granting of Observer Status gives our global constituency an unparalleled platform to participate directly and independently at the General Assembly.

But we surely must not ignore the valid defects of globalization. A central theme of Sunil Bharti Mittal's chairmanship of ICC is 'inclusivity'—with the aim of ensuring that everyone has the opportunity to benefit from global trade.

A key element in this strategy is the role of business within society. The Sustainable Development Goals (SDGs) offer us the opportunity to build trust with society as well as to provide business with a tremendous new growth strategy.

Recent research shows how pursuing SDGs could raise trillions of dollars in new market opportunities while vastly extending prosperity to all.

We at ICC must reaffirm our commitment to those values that define our mission and make us who we are: trade, prosperity, responsibility and peace.

In these turbulent times, dedication to our core values aligned with 21st century social imperatives will continue to serve our members and the world well.

A handwritten signature in black ink that reads "John J. Danilovich". The signature is fluid and cursive, with the first name "John" and last name "Danilovich" clearly legible.

John Danilovich



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CHAMBER OF COMMERCE

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6 MOMENTS IN ICC BELGIUM'S LIFE IN 2016



ICC EUROPEAN MEETING HOSTED IN BRUSSELS

On 11 and 12 February 2016, ICC Belgium hosted the ICC European Regional Coordination Group meeting in Brussels, with the representation of 22 national committees of the International Chamber of Commerce (ICC): Albania, Belgium, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Ireland, Italy, Macedonia, Netherlands, Norway, Portugal, Slovenia, Spain, Sweden, Switzerland, Turkey, UK and Ukraine. In total, more than fifty participants and guests from these local offices of ICC in national capitals, but also from ICC's headquarters in Paris, as well as from different European trade associations, used the two days for an intensive agenda of panel discussions for different perspectives and approaches on "mega-regional" trade agreements such as the Transatlantic Trade and Investment Partnership (TTIP).



Maria Åsenius, Head of Cabinet to Trade Commissioner Cecilia Malmström, highlighted the trade and investment strategy for the European Union, before a panel of Brussels trade associations discussed with the audience the industry perspectives of TTIP. Panel guest speakers included **Mella Frewen**, Director General of FoodDrinkEurope, **Justine Korwek**, Head of the Brussels Office Of Trans-Atlantic Business Council (TABC), **Maria Trallero**, Trade

Director of The European Federation of Pharmaceutical Industries and Associations (EFPIA), **René van Sloten**, Executive Director Industrial Policy at The European Chemical Industry Council (CEFIC) and **Erik Bergelin**, Director Trade of European Automobile Manufacturers' Association (ACEA). **Andrea Carlevaris**, Secretary General of the ICC International Court of Arbitration and **Annette Magnusson**, Secretary General of the Arbitration Institute of the Stockholm Chamber of Commerce (SCC) have discussed investment protection. A special moment has also been dedicated to envisage the best ways to address European trade issues in the World trade organization.





At the occasion of the entry into application of the substantive provisions of the Union Customs Code (UCC) as of 1 May 2016, ICC Belgium and the FEB held a 1-day seminar on 21 April 2016 to assist companies preparing themselves for the UCC implementation, with a hands-on approach on a selection of topics, among which the potential impact for businesses in Belgium of the electronic transition.

Speakers included representatives of the private and public sectors:



Abram Op de Beeck
Customs expert, *BASF* -
Co-chair of the National
Customs Forum



- **Dirk Aerts**, Partner, *Customs4trade*
- **Roger Beeckman**, Counselor, General Administration of Customs and Excise (GAC&E)
- **Joëlle Delvaux**, Counselor, General Administration of *Customs and Excise* (GAC&E)
- **Pieter Haesaert**, Managing Partner, *Customs4trade*
- **Yves Melin**, Partner, *McGuireWoods Brussels*
- **Kristian Vanderwaeren**, Administrator General, *General Administration of Customs and Excise (GAC&E)*





ICC Belgium was one of the 1 foreign chambers of commerce actively taking part to the #Yes2Belgium campaign initiated by Amcham Belgium, and co-organizing the event with Prime Minister Charles Michel and the International Business Community on 22 June 2016.



Attended by more than 360 distinguished guests, including business leaders, government officials and foreign diplomats, the dinner was an opportunity to publicly re-affirm our commitment to Belgium as a place to live and work after the Brussels terror attacks.



Speakers around *Charles Michel*, Prime Minister of Belgium, and *Étienne de Callatay*, moderator, included *Per Allmer*, Bombardier Transportation, *Corrado Sciolla*, BT, *Mark Hutchinson*, GE, *Richard Blackburn*, Pfizer, and *Johan van Zyl*, Toyota Motor Europe.



On 10 September 2016, ICC Belgium and the Federation of Enterprises in Belgium (FEB) held a high-level seminar on important developments in the area of export control regulations and economic sanctions, with the cooperation of Agoria, essenscia and Febelfin.



It has been the occasion to provide the exceptional opportunity for the audience to discuss with the US and EU regulators themselves:

- **Stéphane Chardon**, Head of Sector, Strategic Export Controls, European Commission
- **Kevin J. Wolf**, Assistant Secretary of Commerce for Export Administration, U.S. Department of Commerce



This 2nd in a row event was also the occasion to celebrate the successful launch of our World Trade Controls free online information platform (www.worldtradecontrols.com), fed by US, Dutch and Belgian experts.

**WORLD
TRADE
CONTROLS**



On 20 October 2016, ICC Belgium was the co-organizer with twelve other international and local Chambers of Commerce from across Belgium of the fourth edition of the cross-chamber speed-networking event. The event also featured a workshop on Crowdfunding, with a What's-In-It-For-Me approach by *Charles-Albert de Raditzky*, COO and Co-Founder of MyMicroInvest and *Tarik Hennen*, Co-founder of Smartflats, a project partially funded by the MyMicroInvest platform.





9 December 2016 | 13:30 - 17:00

SEMINAR ANTI-CORRUPTION FOR BELGIAN COMPANIES OVERSEAS

On 9 December 2016, the National Contact Point for the OECD Guidelines for Multinational Enterprises organized at the occasion of the UN International Anti-corruption Day an event with the presence of Deputy Prime Minister Kris Peeters and Minister of Justice Koen Geens to launch the new Guide to help Belgian companies beating corruption while they operate abroad. The document has been drafted by ICC Belgium, with the support of the Ministry of Justice and the Federation of Enterprises in Belgium. After the speeches of the members of the government, the more than hundred participants enjoyed presentations by Jean-Pascal Thoreau, Federal Prosecutor’s Office, and Transparency International Belgium, and a panel discussions with representatives of the OECD, UNODC, UCLouvain and moderated by Christine Darville, FEB.



TRADE, INVESTMENT AND GLOBALIZATION

The weak trade growth of just 1.3% in 2016 has been explained by the World Trade Organization (WTO) as partly due to cyclical factors as economic activity slowed across the board, but it also reflected deeper structural changes in the relationship between trade and economic output.

The most trade-intensive components of global demand were particularly weak in 2016, showed WTO, as investment spending slumped in the United States and as China continued to rebalance its economy away from investment and toward consumption, dampening import demand. Commenting on the situation, ICC Secretary General acknowledged that *“We continue to face the challenge of global growth being too low”* but also that it is *“benefiting too few.”* He added: *“This is the defining economic test of our times—and we urge all governments to take concerted and urgent action to enable inclusive growth. A retreat into protectionism would be the wrong response to this challenge.”*



THE ICC #TRADEMATTERS GLOBAL CAMPAIGN

2016 has seen a growing revolt against global trade integration underway in many of the world's largest economies. In the United States, the leading presidential candidates were united in their opposition to trade deals. In Europe, there was a massive public opposition to the proposed Transatlantic Trade and Investment Partnership (TTIP) and the EU-Canada Comprehensive Economic and Trade Agreement (CETA). Research indicates that global press

coverage of trade liberalization shows a growing negative bias.

Some campaign groups suggest that new trade agreements are simply tools to support big business at the expense of society as a whole. Others point to the “secretive” nature of government negotiations as a cause for public concern.

However, trade agreements aren't designed to support or help individual businesses, but rather to support growth and development of

economies as a whole. They are, simply put, an exchange of market access between governments: a levelling of the playing field in one market in exchange for a levelling in another.

Early multilateral trade agreements reduced trade barriers from high levels in the early post-war years and established global trading rules that allowed trade to flourish in the age of globalization. These broad, multilateral agreements—now overseen by the WTO—also played a central role in keeping protectionist responses to economic shocks broadly in check.

In recent years a growing focus has been placed by policymakers on enabling trade for sustainable development. In 2001, governments launched the WTO's Doha Development Agenda—talks which in 2013 yielded the landmark Trade Facilitation Agreement which it estimated could create more than 18 million jobs in developing and least-developed countries. Recent bilateral agreements—such as the Trans-Pacific Partnership—also contain important provisions to uphold labour standards and promote environmental protection.

It's important to remember trade agreements are not just about economics: they can be an important component of a country's broader foreign policy too. The creation of the first multilateral trade framework played a critical part in restoring peaceful international relations following World War II. Today, bilateral and regional agreements give developed countries a tool to support political and economic reforms in emerging markets.

In response to concerns from civil society, governments have also taken steps to enhance the transparency of trade

negotiations. To take just one example: the European Commission's steps to increase public access to documents from its on-going trade talks with third-countries.

Urgent action is needed to restore the growth of global trade—particularly given that its slowdown comes at a time when the international community has identified trade as an important component for achieving the UN's Sustainable Development Goals.

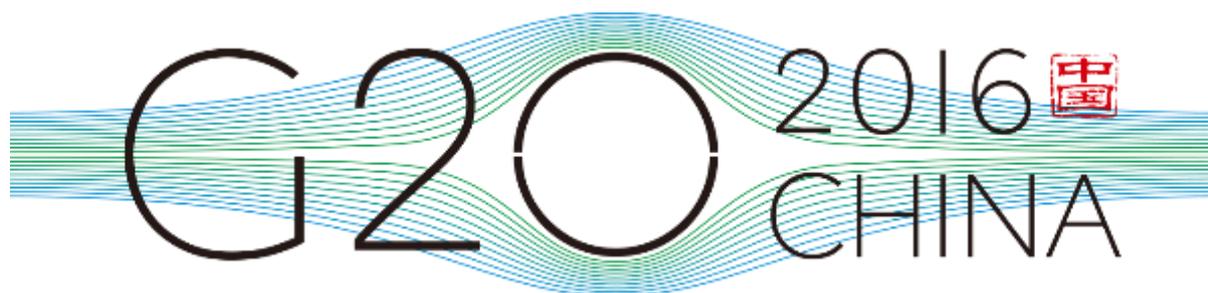
There are also worrying signs that anti-trade sentiment in some economies is already translating into a resurgence of protectionist policies. According to the Global Trade Alert initiative, 2015 saw the biggest rise in protectionist activity since the onset of the financial crisis—with an estimated 40% rise in trade barriers introduced compared to 2014.

There remains, however, significant opportunities to boost trade for the benefit of all—particularly through new global initiatives under the WTO. ICC is supporting global efforts for instance to streamline customs and border procedures, liberalize trade in green technologies and enhance the supply of finance for small businesses looking to trade internationally.



#TradeMatters
for jobs | for growth | for all

Discover the global ICC #TradeMatters campaign on <http://tradematters.iccwbo.org>



B20-G20 IN CHINA: ICC'S RECOMMENDATIONS FOR SUSTAINED ECONOMIC GROWTH

In 2016, an ICC delegation of business leaders was in Hangzhou on the eve of the G20 Summit with high expectations for world leaders to make progress on a range of policy issues that can drive sustainable and inclusive growth in the global economy.

The 2016 Summit took place in Hangzhou, China against a backdrop of sluggish GDP growth and slowing global trade. CEOs from across G20 economies have called for a credible action plan to open markets, mobilize private sector capital and make it easier to trade internationally.

ICC G20 CEO ADVISORY GROUP

ICC First Vice-Chairman John Denton, CEO of Corrs Chambers Westgarth, was in Hangzhou to lead the ICC delegation which comprised members of the ICC CEO Advisory Group. Mr Denton said it was important for G20 leaders to meet with purpose and demonstrate leadership on complex multilateral negotiations, including on climate change, energy and global trade.

"Hangzhou is where the G20 can make a real impact on global economic governance if it's willing to put aside differences and bridge the gap where other multilateral institutions have struggled to make progress," he said.

Mr Denton also expressed hope for real progress to be made regarding G20 responsiveness to B20 recommendations, including tangible action on longstanding business priorities.

In 2016, B20 China – under the leadership of Jiang Zengwei Chairman of the China Council for the Promotion of International Trade (CCPIT) – produced a set of 20 principle recommendations, focused primarily on structural reforms and addressing most of the key issues worked on by G20 representatives known as sherpas: calls for collective agreement on trade issues, strengthened intergovernmental cooperation against corruption, bridging the gap in infrastructure investment, promoting a multinational framework on investment and expanding access to financing for SMEs.

ICC and B20 also called for improvements in the global investment landscape, commitments to achieve progress on the UN's Sustainable Development Goals and further progress on energy and climate to build upon the G20's unprecedented deliberations last year in Antalya.

ICC has served as strategic partner to B20 national since Korea in 2010 and we're pleased with the increasing responsiveness we're getting from G20 Leaders.



ICC AND THE NEW TRADE DIALOGUE WITH WTO

The WTO has started a series of dialogues with stakeholders, where they can highlight issues they find important. The first of these "Trade Dialogues" was held at the WTO's headquarters in May 2016 at the request of the private sector. ICC has welcomed the conclusion of the first edition of the dialogue with the business community on 30 May 2016 as an important step towards strengthening the global trade agenda.



The dialogue was initiated off the back of the successful outcome of the WTO's ministerial conference in Nairobi during December 2015, and in response to growing concern within the global business community about faltering global trade growth.

Addressing WTO members, ICC's First Vice-Chairman Sunil Bharti Mittal said: *"To be clear: business wants predictable, modern*

and up-to-date multilateral trade rules, negotiated and agreed at the WTO... Trade is expected to grow by less than 3% for the fifth consecutive year in 2016. We should not accept this as the new normal and we are ready to work constructively with WTO members to restore trade as a central driver of global growth."

The first-of-its-kind event identified a broad range of possible WTO initiatives to help boost trade-led inclusive growth. These included:

SME growth: Business leaders encouraged the WTO to explore possible initiatives to make trade easier for small- and medium-sized enterprises (SMEs), going beyond trade facilitation reforms to identify where harmonized rules and end-to-end standards can help small businesses access global markets. Access to financing was also highlighted as a priority to support SME trade growth.

Investment: Many participants in the dialogue expressed an interest in a new WTO dialogue to explore the scope for global standards in the field of investment promotion, protection and facilitation.

Sectoral liberalization: The dialogue highlighted an interest from a range of sectors in pursuing sector-specific talks as a complement to the ongoing Doha Round.

E-commerce: There was a strong call from business leaders for the WTO to play a central role in underpinning an open, reliable and secure global digital economy. Participants expressed particular interest in possible “e-commerce negotiations” which could encompass a broad range of issues such as customs duties, electronic signatures, data protection and localization requirements.



At the conclusion of the dialogue, ICC has called on WTO members to maintain contacts with the business community in taking forward possible new trade talks and initiatives.

ICC Secretary General John Danilovich said: *“We have seen a positive discussion today about how we can work together to maximise the contribution of trade and investment to achieving inclusive growth and sustainable development. We hope that today’s initiative can be followed up with concrete steps including further meetings of this kind. ICC stands ready to support this dialogue in any way possible.”*

MULTILATERAL CONVENTION TO IMPLEMENT TAX TREATY RELATED MEASURES TO PREVENT BEPS

ICC welcomed the OECD’s release on 24 November 2016 of a multilateral convention which allows for swift implementation of a series of tax treaty measures encompassed in the OECD/G20 Base Erosion and Profit Shifting (BEPS) project. The release follows the conclusion of negotiations involving more than 100 jurisdictions, in a process that aligned with recommendations in Action 15 of the 2015 BEPS Final Report.



In order to address BEPS in a targeted and coordinated manner, BEPS Action 15

proposed a multilateral instrument that could be used as an alternative to the burdensome task of renegotiating over 2,000 bilateral tax treaties to implement various treaty-based proposals recommended by the BEPS Project.

At the conclusion of the G20-mandated OECD/BEPS project in October last year, ICC underscored the need for the rules to be implemented in a coherent and coordinated manner, including non-OECD countries, to ensure a consistent international tax landscape.

“The delivery of the multilateral convention is a reflection of the remarkable effort by the OECD to enable countries to reach a position of consensus and pave the way for consistent implementation of the tax treaty related measures in the BEPS project,” said Christian Kaeser, Global Head of Tax at Siemens and Chairman of the ICC Commission on Taxation. *“From the*

perspective of the business community, international consistency is an important prerequisite to avoid double taxation and ensure the required legal certainty to facilitate international trade and investment. Steps to reach alignment at a global level are therefore always welcome."

The multilateral convention seeks to transpose results from the BEPS project into more than 2,000 tax treaties worldwide. The Multilateral instrument (MLI) is not intended to replace existing tax treaties, but is rather meant to be applied alongside existing tax treaties to modify their application in a manner that implements various BEPS measures. The treaty related measures from the BEPS project include those under Action 2 (Hybrid Mismatches), Action 6 (Prevention of Treaty Abuse), Action 7 (Avoidance of Permanent Establishment Status) and Action 14 (Improving Dispute Resolution).

MLI signatories must agree to adopt the various minimum standards in the BEPS Project, subject to flexibility in the MLI regarding the approach that a jurisdiction may follow. A signing ceremony for the MLI will be held in June 2017 in Paris.

OECD BEPS CONSENSUS AND RISE IN TAX DISPUTES

The International Chamber of Commerce (ICC) has expressed concern in September 2016 about the possible broader implications of the European Commission (EC) ruling against Apple over Irish taxation rules. Apple is meanwhile in appeal against the European Commission ruling that it must pay Ireland €13B in underpaid tax, arguing that the EC did 'fundamental errors' in its interpretation of the facts).

ICC recognizes the risk for potential conflicts between existing tax treaties as well as the potential short term increase in uncertainty as a result of the process of ratification and implementation. Furthermore fundamental differences in views with respect to the allocation of taxing rights, together with the aggressive approach that many countries are taking towards transfer pricing and related issues, will likely result in a continued increase in international tax disputes. As a result, ICC reiterates the need for robust dispute resolution mechanisms with mandatory agreements to mitigate anticipated international tax disputes in the coming years.



ICC has been extensively involved in the OECD BEPS process representing global business views, from major multinational firms through to SMEs in every region of the world, and continues to contribute expertise to the work of the UN's Committee of Experts on International Cooperation in Tax Matters on tax dispute resolution.

Having continuously raised the need for effective dispute resolution mechanisms following the publication in October 2015 of the Organisation for Economic Co-operation and Development (OECD) Reports on Base Erosion & Profit Shifting (BEPS), the world business organization said the need has become even more apparent over the past years.

Expressing concern about the broader impact the EC ruling may have, including a possible breakdown in the consensus on BEPS, the ICC Commission on Taxation said that such a unilateral approach casted doubt over the collaborative efforts made to date between the European Union (EU) and United States (US). This could give rise to increased tax competition and disputes in relation to tax treaties among nations, and especially between the US and other EU countries. Furthermore adverse reactions by tax administrations could undermine trade negotiations between the EU and US and have negative effects on foreign direct investment in the EU.



“While we respect the enforcement of state aid rules by the EC, we believe that the Commission should ensure the integrity and legal certainty of the tax system which remains critical for businesses seeking to invest in the EU,” said Christian Kaeser, Global Head of Tax at Siemens and Chair of the ICC Commission on Taxation.

ICC believes that coherent and co-ordinated implementation of the internationally agreed guidelines across all countries and in close cooperation with business is imperative in order to align tax systems, protect government revenues and safeguard cross-border trade and investment.



ICC has also expressed concern regarding an EC proposal for public disclosure of tax data, which falls outside the consensus reached within the BEPS proposals. The agreed proposals opt for tax transparency measures related to the automatic exchange of financial information between national tax offices, with the explicit provision that this information remains confidential. Should the EC publish tax data of US companies, as in this case, this could further undermine the consistent implementation of BEPS measures. In turn, the US could refuse to comply with recommendations outlined under Action 13 on Country-by-Country Reporting.

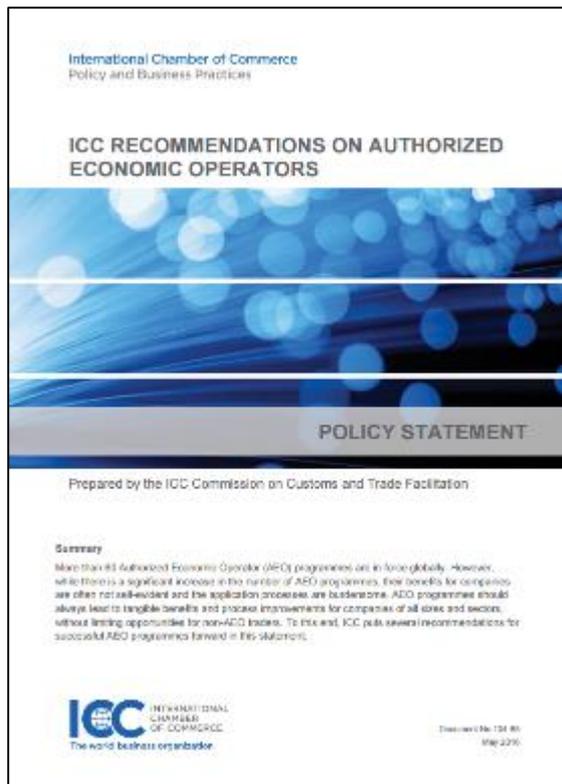
Mr Kaeser said: *“Business fears the potential precedent and the legal uncertainty set by rulings of this nature as well as the possibility of counter actions that could undermine the consensus approach achieved within the context of the BEPS project and thus negatively impact cross-border trade and hamper foreign direct investment.”*

Paul Morton, Vice-Chair of the ICC Commission on Taxation, said: *“This ruling brings to the forefront the ever-more pressing need to have effective dispute resolution mechanisms in place to address potential tax disputes and strengthen global efforts to establish a consistent international tax landscape.”*

ICC continues to work with the OECD and the United Nations to provide business input and expertise in these areas.

RECOMMENDATIONS FOR SUCCESSFUL AEO PROGRAMMES

ICC has released recommendations for successful Authorized Economic Operators (AEOs) programmes that would serve business and not exclude smaller traders from global markets.



The 2016 recommendations were issued this week as over 1,000 Customs and business representatives from all over the world convened in Cancun, Mexico to discuss the concept of AEOs at the World Customs Organization's 3rd Global AEO Conference.

AEO programmes allow traders to work closely with their Customs administration, in exchange for reduced inspections on goods and quicker clearance times at borders. In turn, Customs agencies can increase their administrative efficiency by focusing inspections on unknown high-risk cargo.

At present, there are over 60 AEO programmes in operation around the world

and the number is rapidly increasing. However, despite this increase the benefits of AEO programmes are not always evident and the application processes can be burdensome – especially for small- and medium-sized enterprises (SME).

Speaking at the WCO conference, Norman Schenk, Chair of the ICC Customs and Trade Facilitation Commission and Vice-President of UPS said *“AEO programmes can be highly beneficial for both Customs and traders but we have to prevent international traders being confronted with different AEO programmes in each country. Harmonization and regional coherence are vital”*.

Fernando Barbosa, Vice-Chair of the ICC Customs and Trade Facilitation Commission added: *“Companies need consistency. AEO programmes should be based on the WCO SAFE Framework and AEO status should generate clear additional trade facilitation benefits for business. It should be recognized by all border agencies – not just Customs.”*

To maximize trade facilitation and supply chain security, ICC calls upon governments to avoid divergence to enhance uniformity and predictability and to increase opportunities for effective mutual recognition agreements.

To promote global harmonization and secure maximum benefits ICC has set out eight recommendations for successful AEO programmes encouraging policymakers as follows:

1. Offer clear benefits

Ensure quicker release of goods, self-assessment and relief from bond requirements.

2. Follow WCO SAFE Framework

Don't diminish trade facilitation for non-AEO traders and SMEs

3. Design with business

Customs-business cooperation is key – utilize Chamber of Commerce networks.

4. Complement existing programmes

Make AEO status compatible with other domestic trade compliance schemes.

5. Recognize status beyond Customs

AEO status should have effect with all border agencies.

6. Ensure Customs capacity

Ensure capacity to implement effectively – including training.

7. Facilitate foreign recognition

Expand mutual recognition between countries for regional coherence.

8. Open up AEO status to all

Include all supply chain operators, not just importers and exporters.



WORLD CUSTOMS ORGANIZATION
ORGANISATION MONDIALE DES DOUANES

World Customs Organization Secretary General Kunio Mikuriya welcomed ICC's recommendations. *"The WCO values hearing the views of experts on AEO programmes from both the public and private sector. ICC's recommendations released this week at the WCO's AEO Global Conference in Mexico contain a view from business worthy of discussion,"* he said.

MEGA REGIONAL TRADE AGREEMENTS AND THE MULTILATERAL TRADING SYSTEM

In 2016 the prospect of "mega-regional" trade agreements such as the TransPacific Partnership (TPP), the Transatlantic Trade and Investment Partnership (TTIP), the Regional Comprehensive Economic Partnership (RCEP or ASEAN 10 + 6), the Pacific Alliance and the Continental Free Trade Area, have put cross-border trade and investment back at the top of the international economic policy agenda after a notably long absence.

The International Chamber of Commerce (ICC), the world business organization, strongly welcomed the renewed interest in trade and investment on the part of governments around the world as effective "debt-free" means of creating sorely-needed economic growth and jobs. ICC supports

regional and mega-regional efforts to promote trade and investment liberalization but believes such agreements should be conducted within a framework that advances the multilateral trading system.

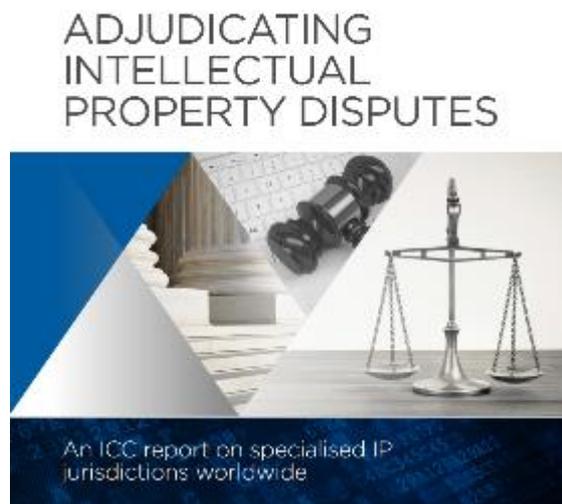
Multilateralism is the optimal approach to promote trade and investment liberalization around the world. With the rise of global value chains, barriers among third countries upstream or downstream to trade have begun to matter just as much as barriers between direct trading partners. Instead of creating a multitude of country specific solutions, barriers to trade between countries are ideally addressed in a single, global set of rules.

Regional trade liberalization can support longer-term multilateral liberalization if

regional agreements are truly market-opening and contain harmonized, global components wherever possible. If negotiated in accordance with principles and rules contained in WTO agreements, these regional initiatives can support longer-term multilateral liberalization.

INCREASING EFFECTIVENESS OF IP RIGHTS ENFORCEMENT

The International Chamber of Commerce (ICC) has published a groundbreaking report on the adjudication of intellectual property cases worldwide, providing a snapshot of the structures and practices of specialised intellectual property jurisdictions (SIPJs) in a group of geographically and economically diverse countries. The report was launched on April 28 in Moscow during a session organized by ICC and ICC Russia at Russia's largest IP-event, the International Forum on Intellectual Property – 21 Century.



The 2016 published study is based on the practical experiences of IP litigation experts in 24 countries, 19 of which have SIPJs – defined as a tribunal or court, or a permanent division or a chamber within a civil or commercial court or administrative body,

A 2016 policy statement outlines ICC's position on the relation between multilateral and regional trade liberalization and urges governments around the world to consider how to “multilateralize” – elements of regional and preferential trade agreements.

having exclusive authority to hear IP disputes or a particular kind of IP dispute.

Daphne Yong-d'Hervé, Chief Intellectual Property Officer at ICC said: “*The increasing use of the IP system means that the number of disputes related to intellectual property is set to grow. Both users and holders of IP rights need well-functioning and efficient mechanisms to resolve these disputes. The establishment of SIPJs by many countries is a positive trend which can help improve the efficiency and quality of the adjudication of IP cases.*”

The report reviews various aspects of SIPJs, including their structure and competence, the composition of judicial tribunals, their procedures, and their rules of representation.

The 2016 ICC report also examines the reasons why policymakers choose to establish specialist IP jurisdictions, with “*developing IP expertise in specialised judges*” and “*improving the consistency and predictability of court judgments*” cited among the five primary motivations. The report concludes that SIPJs are considered by practitioners and litigants in all surveyed countries to increase the effectiveness of IP rights enforcement, with proper trial mechanisms and judicial expertise being crucial to a well-functioning SIPJ.

Despite a general convergence in the reasons for establishing SIPJs, the report identifies a large diversity in the structures and mechanisms of specialised IP jurisdictions – with respect to their form, their competence, the appointment of judges and experts and the representation of parties – while underscoring the importance of the specific social, economic and legal needs of a country in influencing the creation and design of SIPJs.

Hao Ma, President of the China Council for the Promotion of International Trade Patent and Trademark Law Office, and Chair of the ICC Task Force on Specialised IP Jurisdictions, said: *“Through this report, ICC aims to contribute to a better understanding*

of the current landscape of SIPJs around the world. We hope that the study will help businesses and governments better understand how SIPJs around the world function and provide information that countries can draw upon when considering how to establish or improve their own systems for resolving IP disputes.”

The launch session on 28 April 2016 was opened by the head of the Russian Intellectual Property Court and the Russian Ministry of Justice and brought together judges, litigators and litigants from Russia, China, France, Germany, Switzerland and the United Kingdom to exchange experiences on the various aspects of SIPJs identified in the report.

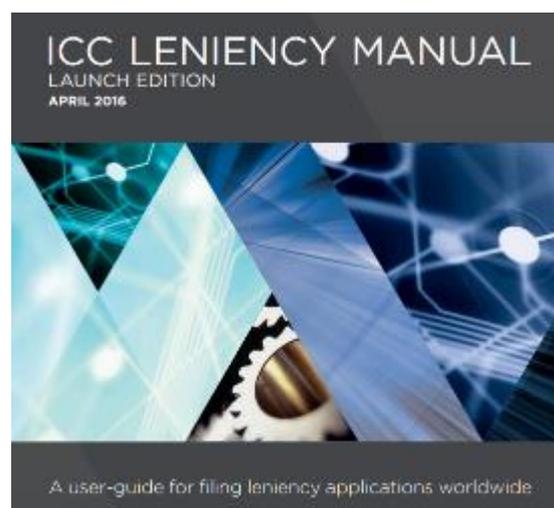
ANTITRUST LENIENCY APPLICATION PROCESS DEMYSTIFIED WITH NEW ICC MANUAL

Fighting cartels has become a priority for competition agencies worldwide leading to heavy fines and in some jurisdictions criminal sanctions, including imprisonment.

However, some jurisdictions operate leniency policies whereby companies that provide information about a cartel in which they participated might receive full or partial immunity from fines. These programmes have an important role to play in promoting competition compliance, but their application often varies significantly from jurisdiction to jurisdiction. This means, for instance, that companies which receive immunity in one country could still be subject to sanctions in another.

To provide greater clarity for business, the International Chamber of Commerce (ICC) has published in 2016 a Leniency Manual which aims to demystify the leniency

application process and provide guidance to businesses for filing local and multi-jurisdictional applications.



Unveiled at ICC’s 8th Competition Roundtable that took place in Singapore, the ICC Leniency Manual guides users through each stage of the leniency application

process – from the very initial contact with a competition agency to its final decision.

“Leniency is the only legal way in which a company can obtain immunity from an antitrust fine. No common leniency application system exists, which means that applications filed with more than one agency are assessed independently,” said Marcin Trepka a member of the global Antitrust, Competition and Trade Regulation practice at K&L Gates and Co-Chair of the ICC Task force on Cartels and Leniency that prepared the new publication.

EASY ACCESS GUIDANCE ON LENIENCY APPLICATIONS

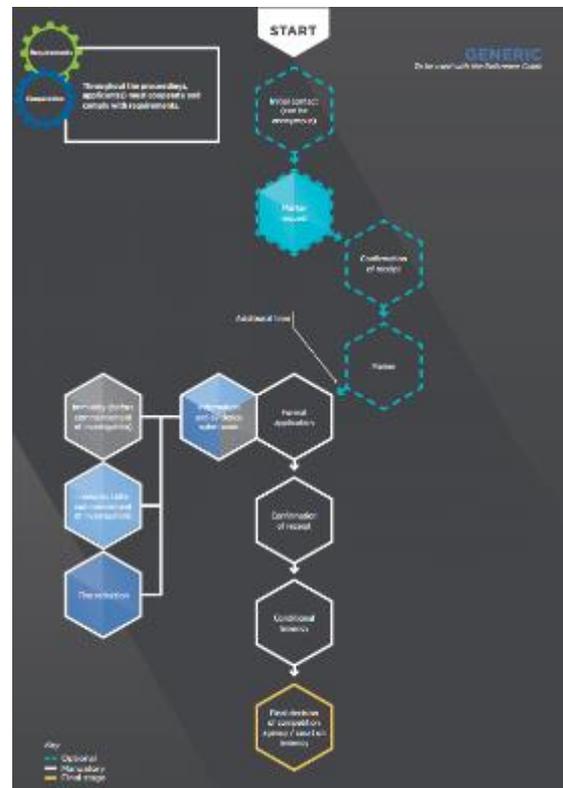
The new ICC Leniency Manual gives an overview of the generic leniency application process before taking a closer look at the filing requirements of specific regions and countries worldwide – from Australia to the United States.

“The ICC Leniency Manual is clearly the answer for progressive competition, market and trade development and an indispensable tool for each leniency applicant worldwide,” Mr Trepka said.

Each country-specific chapter of the manual includes a short description of leniency in the country as well as a list of issues that the leniency applicant should consider. These are illustrated by user friendly colour-coded flowcharts that provide dynamic step-by-step details of the leniency application process.

What’s more, thanks to the handy ‘fast facts’ section of each chapter, applicants can quickly see that while applications to the Japan Fair Trade Commission (JFTC) should be made via fax, applications to the Finnish Competition and Consumer Authority (FCCA) can be made via a secured website link.

The manual concludes with a helpful aide-mémoire designed to explain the basic requirements under a generic leniency application to accompany to the featured flowcharts.



ICC AT THE ICN

As the main business interlocutor to the International Competition Network, the ICC Commission on Competition is the global voice of business on antitrust issues – ensuring that both the needs of business and the realities of markets are taken into account in the formulation and implementation of competition laws and policies worldwide.

The ICC Leniency Manual was unveiled at ICC’s high-level roundtable on competition policy, taking place in Singapore on the margins of the International Competition Network’s annual forum. Now in its eighth edition, the annual roundtable has established a reputation as the key gathering for business and agency antitrust experts to

engage and to keep pace with developments in the international competition landscape.

The event also highlighted a new ICC proposal to create a one-stop-shop for

leniency markers that would offer companies an efficient system for reporting cartel behaviour while preserving incentives to enter into leniency programmes in multiple jurisdictions.



THE HISTORY OF THE Incoterms® RULES



1923

ICC conducts first study of most commonly used trade terms, highlighting disparities of their interpretation.



1928

Second **Incoterms**® rules study expands scope to improve clarity of trade terms in over 30 countries.



1936

ICC publishes first edition of the **Incoterms**® rules featuring six trade terms relating to carriage by sea.



1953

Three new non-maritime terms address the rise of transport of goods by rail in the wake of World War II: **FOR** (Free on Rail), **FOT** (Free on Truck) and **DCP** (Delivered Costs Paid).



1980

FRC (Free Carrier) term and new documentation processes introduced to address rise of containerisation.

1976

Fourth edition of the **Incoterms**® rules announces new terms to end confusion relating to the interpretation of **FOB** (Free on Board) for air transport.



1967

ICC launches third edition of the **Incoterms**® rules including two new terms: **DAF** (Delivery at Frontier) and **DDP** (Delivery in Country of Destination).



1990

ICC unveils **Incoterms**® 1990, a complete revision of the 1953 version reflecting contemporary practices in international trade and use of intermodal transport. **FRC** becomes **FCA**. Changes also contain provisions for the use of electronic messages.



2000

Publication of **Incoterms**® 2000 sees major changes to the "Delivery" section, which made the term **FCA** (Free Carrier) far clearer and easier to use.



2010

ICC releases **Incoterms**® 2010, reducing the number of terms from 13 to 11 by inclusion of two new rules for use irrespective of the agreed mode of transport. Other modifications to reflect contemporary trade landscape comprises measures to enhance cooperation among parties and adaptations regarding commodities sales and domestic transactions.

RULES AND STANDARDS FOR TRADE

ICC has a long history of developing voluntary rules, guidelines and codes to facilitate business and spread good practice.

Examples of these include:

- ICC's URBPO: the first-ever Uniform Rules for Bank Payment Obligations (BPOs), a 21st century standard in supply chain finance that governs Bank Payment Obligations transactions worldwide.
- ICC Incoterms® rules: standard international trade definitions used every day in thousands of contracts to define the responsibilities of buyers and sellers.
- ICC model contracts that make doing international business easier, especially for small- and medium-sized companies that cannot afford big legal departments.
- The Consolidated ICC Code of Advertising and Marketing Communication Practice: the global foundation for national self-regulatory systems that monitor marketing practices.



RECORD NUMBER OF NEW ARBITRATION CASES FILED IN 2016

The International Court of Arbitration of the International Chamber of Commerce (ICC) has announced record figures for new cases filed for administration under ICC rules in 2016.

According to preliminary statistics, a total of 966 new cases administered by the Court were filed in 2016 – involving 3,099 parties from 137 countries. Constituting a record year for the Court in its 94-year history, the

figures reflect continuing growth of the world's leading arbitral institution and its ongoing efforts to make ICC dispute resolution services more accessible worldwide.

– **966 new cases administered by the Court were filed in 2016 – involving 3,099 parties from 137 countries.**

– **15% rise in parties from Latin America**

– Record figures recorded for parties from Korea, Nigeria and Turkey

– Parties from South and East Asia up 22%

Alexis Mourre, President of the ICC Court said: *“These initial findings are welcome testament to our efforts to continually adapt our services to the needs of arbitration users around the world. These efforts will continue in 2017 with plans to build further on our global presence in the year ahead.”*

GROWTH IN LATIN AMERICA

Statistics for 2016 reveal a 15% increase in the number of parties from Latin America with Brazil climbing to third place in party rankings worldwide, in a year that saw 123 participating Brazilian parties.

With 105 parties, Mexico ranks for the first time among the top five countries worldwide listed according to the number of participating parties in ICC Arbitration, while Peru, with 28 parties, also saw an increase from the previous year.

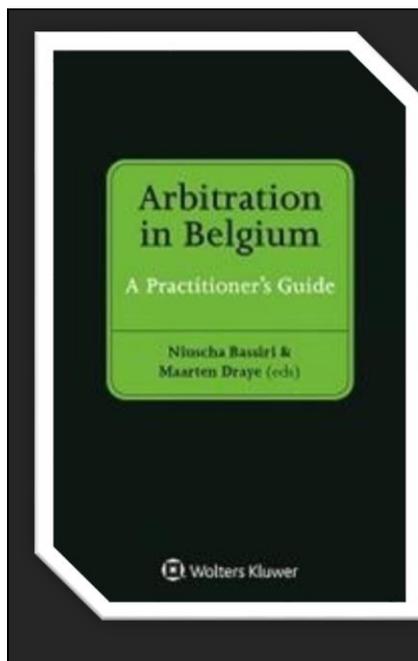
RECORD NUMBERS IN ASIA AND AFRICA

Benefitting from a greater ICC presence established at the beginning of 2016, South and East Asia both saw an overall increase of 22% in the number of parties represented, with a record 82 parties from Korea.

Meanwhile, ICC Arbitration continues to build on its foothold in North and Sub-Saharan Africa with each region securing an approximate 50% increase in the number of participating parties. Despite increased competition in the market, Nigeria and Turkey both achieved new statistical records, accounting for 30 and 76 parties respectively.

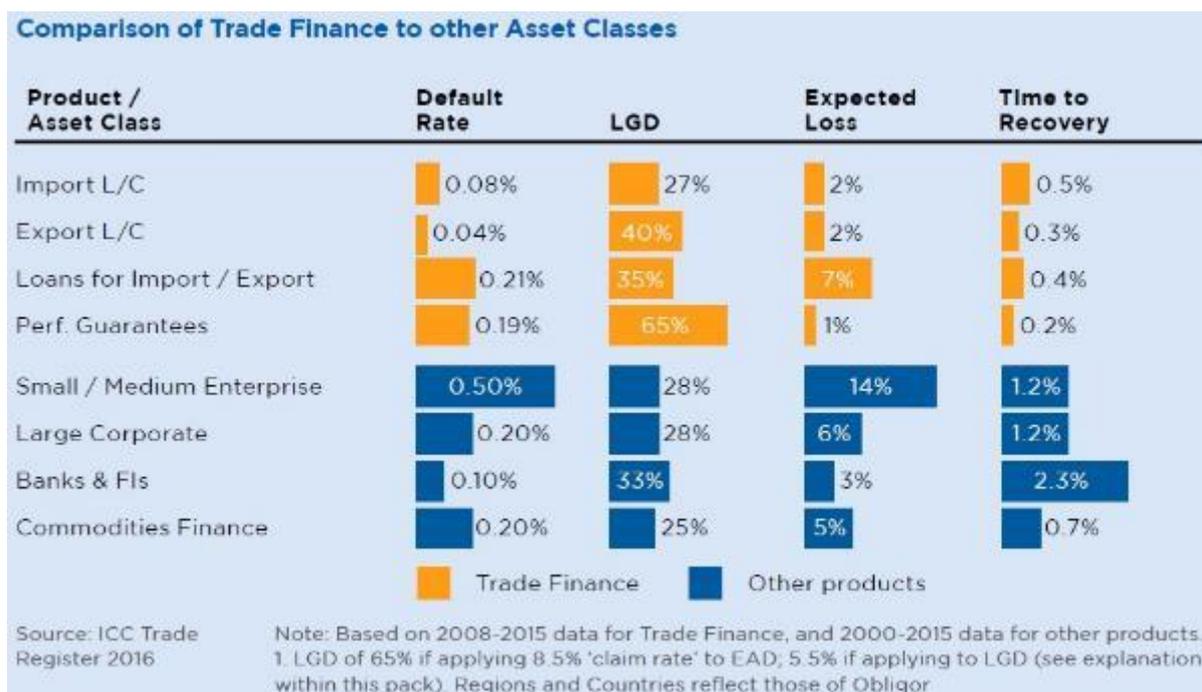
Looking to the year ahead, ICC Arbitration statistics also reveal an increasingly busy period ahead with a record 1,592 pending cases – up by 61 cases compared with figures recorded at the close of business the previous year.

ICC is set to publish a full statistical report in June 2017 providing further insight into ICC Arbitration and its users.



The book “Arbitration in Belgium. A Practitioner’s Guide” authored by our members Maarten Draye and Niuscha Bassiri from Hanotiau & van den Berg was published in 2016.

Despite the obvious advantages accruing from its central location and the presence of the EU institutions in its capital city Brussels, Belgium has never fully fulfilled its potential to emerge as an attractive jurisdiction for international arbitration. Now, however, with the adoption in 2013 of an entirely new arbitration law, Brussels is poised to progress rapidly towards the top rank of European and global seats of arbitration. This is the first comprehensive treatise in English to provide practical guidance to arbitration practitioners, in-house counsel, and judges on how to conduct arbitrations in Belgium. Price : € 185



BANKING: ICC TRADE REGISTER 2016

Data from the ICC Trade Register 2016, in its sixth year, showed the low risk nature of trade finance when judged against comparable asset classes, such as corporate and small to medium-sized enterprise (SME) lending.

Covering US\$9.1 trillion of exposures and 17 million transactions – more transactions than ever before – the data continues to verify that trade finance presents banks with little credit risk – across major products and regions.

- Trade finance continues to have a favourable risk profile when judged against comparable asset classes, such as corporate and small to medium-sized enterprise (SME) lending.
- Low-risk nature of trade finance remains despite ongoing industry changes, including the slowdown in global trade, fall in commodity prices,

and gradual shift of corporates towards open account

- Data provides a strong empirical basis to consider the appropriate treatment of trade finance by the Basel Accords, given its low risk profile.
- The Trade Register remains the authoritative source of data and analysis on trade finance, with continuing efforts enhancing the quality and robustness of the project, including data collection and filtering, analytics, and related advocacy.



Trade Register highlights that short-term products are particularly low risk, citing the default rate (weighted by exposure) at 0.08% for Import Letters of Credit (L/Cs), 0.04% for Export L/Cs, 0.21% for Loans for Import/Export and 0.19% for Performance Guarantees.

Medium and long-term products also prove low risk for banks – in-part driven by the fact that in-scope transactions are covered by OECD-backed Export Credit Agencies (ECAs), at up to 95% of their value. The average default rate of medium and long-term trade finance is 0.44%, with a loss given default of 5.3%. This, in turn, drives an expected loss of 0.024%.

While the latest data reveals a slight upward trend in default rates from 2013 onwards – due to a mix of one-off events, such as the default of a large importer, and more systemic factors – the overall trend still confirms the low risk nature of trade finance.

EU BAIL-IN RECOGNITION CLAUSES

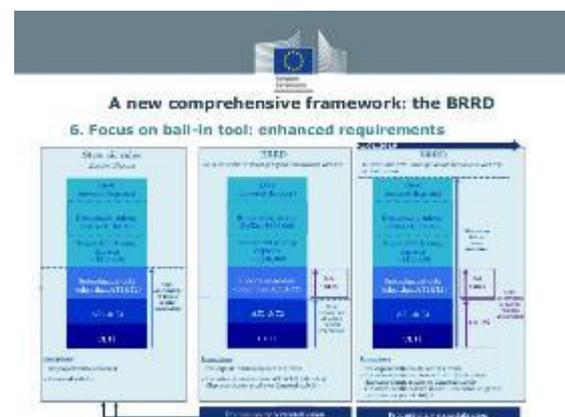
The ICC Banking Commission has maintained in 2016 the dialogue with the DG FISMA and different institutions about its concerns as to likely effect and consequences of the Bank Recovery and Resolution Directive (2014/59/EU) (BRRD) on trade finance. In particular, the ICC's concerns centered on Articles 44 and 55 BRRD.

An important moment has been the publishing end of 2016 of proposals and planned changes to capital requirements in the European Union, notably the Capital Requirements Directive (CRD V) and the Capital Requirements Regulation (CRR II) as well as the Bank Recovery and Resolution

"The Trade Register aims to objectively further increase the attractiveness of trade finance to banks, and in turn, benefit global trade and financial inclusion," says Daniel Schmand, Chair of ICC Banking Commission. "It also confirms that trade finance should be increasingly recognised as a reliable asset class by institutional investors, with scope for high yields and low volatility."

The ICC also welcomed two new partners to the Trade Register project this year, The Boston Consulting Group (BCG) and Global Credit Data (GCD), with the aim of bringing further strategic insight, analytics capabilities and industry expertise to the report. Looking forwards, the Trade Register project aims to extend to benefit participating banks and institutions, the wider trade finance industry, and international commerce. In doing so, it will expand its product and risk coverage, while also developing advocacy campaigns beyond those aimed at the Basel Committee.

Directive (BRRD), providing ICC an opportunity to outline its position on issues such as the Net Stable Funding Ratio (NSFR), Leverage Ratio and BRRD Article 55 related to trade instruments as L/C's, bank guarantees etc.



The recently proposed EU capital requirements still offer favourable conditions for trade finance products and therefore deviate to some extent from the Basel regulations. The department head of the Unit Bank Regulation & Supervision of the DG FISMA however expressed the continued need for data to understand the distinctive factor between trade finance and other products and hence to justify maintaining special treatment for trade finance products. The data gained from the ICC Trade Register will play a critical role in this regard.

ICC's mission remains to adequately explain the negative consequences of Article 55 for EU traders and banks active outside the EU, creating an uneven level playing field. Some counterparts acknowledged that the current draft caused some unintended consequences and did not exclude that some adjustments would be made in the next phase. Single resolution board members previously publicly issued statements that go in the same direction.

The proposed texts will be with the parliament and the council in 2017; amendments being therefore only possible through those institutions. ICC decided to continue its advocacy efforts on the issues mentioned above and primarily on the Article 55 by

gathering data that show a need for an exemption of trade finance products in order to avoid a competitive disadvantage and an uneven playing field for European traders (importers, exporters, general contractors) and their EU banks.

While BRRD is already in force, but national regulators and the EU Commission have realized BRRD Article 55 is harmful for trade, so they have proposed amending it. In the meantime, some national regulators (for instance France, Germany, Malta, the Netherlands and the UK) have not required banks to add bail-in clauses to trade finance instruments like letters of credit and bank guarantees.

However, it seems that the national regulators in some member states, and in particular, some MEPs are against changing BRRD Article 55. This may be because it has mainly been banks - not exporters and importers - that have been calling for the change. Banks have been campaigning for this change to help their customers and help trade. In 2017, we need importers and exporters across the EU to speak up and tell their national regulators and the European Parliament to fix this so that BRRD Article 55 does not apply to trade finance.





BELGIAN ANTI-CORRUPTION GUIDE FOR BELGIAN ENTERPRISES OVERSEAS

On 9 December 2016, the world observed the United Nations Anti-Corruption Day under the theme “United against corruption for development, peace and security”. International Chamber of Commerce (ICC) National Committees, national bodies comprising leading companies and business associations, join the global campaign focusing on corruption as one of the biggest impediments to achieving the Sustainable Development Goals (SDGs).

The Belgian National Contact Point for the OECD Guidelines invited ICC Belgium in 2016 to draft a guide to help Belgian enterprises comply with the OECD anti-corruption rules. The guide was launched on 9 December in Brussels, during a conference with the Belgian Minister of Economy Kris Peeters and the Belgian Minister of Justice Koen Geens (see p.12).

Globally, ICC is a driving force in combatting corruption and has been for decades. Here are six tools ICC has developed for businesses to challenge corruption and establish integrity across today’s global markets:

ICC Anti-corruption Clause

In 1977, ICC was the first organization to create regulations attacking all forms of corruption. Rewritten in 2011 by the ICC Commission on Corporate Responsibility and Anti-corruption and the ICC Commission on Commercial Law and Practice, the Clause is a corrective measure used to secure trust between parties and bar corruptive actions from affecting the relationship. It can be used by all sizes of businesses.

ICC Ethics and Compliance Training Handbook

To fight corruption head-on, the training handbook was created to provide businesses with high-quality information on corporate integrity and compliance. The essential guide offers easy to follow instructions on 17 subjects that include: risk assessment, training and education, whistleblowing, internal investigations, resisting solicitation, joint ventures, and the ICC anti-corruption clause.

ICC Rules on Combating Corruption

Used as the foundation of ICC’s anti-corruption work, these rules foster high standards in all business transactions. Working as a method of self-regulation by businesses in conjunction with the applicable national law and essential international instruments, they impart a solid basis for

withstanding unscrupulous business practices.

ICC Anti-corruption Third Party Due Diligence Guide for SMEs

Small and medium-sized enterprises (SMEs) are drivers of economic growth in many economies yet often they need capacity building for them to do their part for responsible supply chains and sustainable growth. This new guide addresses these concerns and encourages SMEs to engage in due diligence by creating achievable and manageable due diligence goals. It focuses on corruption risks that SMEs face when engaging third party suppliers, contractors and consultants in an international and domestic setting, and how those risks can be managed.

ICC Guidelines on Gifts and Hospitality

While Gifts and Hospitality are seen as a normal part of commercial practices, there is

a fine line that can be passed if not mindful. ICC has established clear guidelines to help businesses certify and sustain a strict policy concerning Gifts and Hospitality. The rules plainly outline and define what constitutes bribery, for example, to avoid confusion and prevent such dishonest practices from arising.

ICC Third Party Guidelines Whistleblowing

Even today fraud is still a massive threat in and to the business world. Whistleblowing is vital in exposing corruption at the core. It plays an invaluable and effective role in revealing corporate misconduct. ICC's guidelines allow businesses to establish clear policies that encourage awareness, make employees comfortable reporting without fear of repercussions, and in turn permits the company to handle those concerns in an appropriate manner before an illegal act is committed.

ICC INCOTERMS® 80TH ANNIVERSARY
Incoterms® in Numbers

80 YEARS of facilitating and enabling global trade	8 EDITIONS reflecting changes in international commercial practice	11 RULES in ICC Incoterms® 2010
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ICC INTERNATIONAL CHAMBER OF COMMERCE
The world business organization

#incoterms @ICC_Incoterms
iccwbo.org/incoterms

INCOTERMS® RULES TURNED 80 IN 2016

July marked the 80th anniversary of the flagship ICC Incoterms® rules. We are kick-starting celebrations by bringing you six facts about the indispensable international commercial trade terms:

80 YEARS

One of ICC's very first initiatives as the world business organization was to facilitate international trade. The many differences in practices and legal interpretations between traders around the globe necessitated a common set of guidelines. As a response, the

ICC Incoterms® rules were officially established in 1936 and have been evolving ever since.

8 EDITIONS

Because commercial practices constantly develop with time, it is essential that the ICC Incoterms® rules follow suit. After the initial introduction, there have been seven revisions to the terms reflecting contemporary methods of carrying goods, implementing contracts of sale, clearing goods for export and import and using documents as evidence in order to secure the rights of the entitled persons to receive the goods from carriers at agreed destinations. The most recent edition is Incoterms® 2010 with an update to the rules anticipated for 2020.

11 TRADE TERMS

ICC Incoterms® rules are each composed of a three letter acronym. They are designed to explain a specific set of responsibilities of the buyer and seller in a contract for the sale of goods, relating to transport and delivery. Today, the Incoterms 2010® rules comprise eleven trade terms : EXW (Ex Works), FCA (Free Carrier), CPT (Carriage Paid to), CIP (Carriage and Insurance Paid to), DAT (Delivered at Terminal), DAP (Delivered at Place), DDP (Delivered Duty Paid), FAS (Free alongside Ship), FOB (Free on Board),

CFR (Cost and Freight) and CIF (Cost, Insurance and Freight).

31 TRANSLATIONS

ICC Incoterms® rules have always been intended for both international and domestic use. That is why it was important for ICC to translate the terms into multiple languages. From Dutch to Macedonian, 31 versions are available today to help ensure proper use and interpretation.

140+ COUNTRIES

The first study of the ICC Incoterms® rules was limited to a scope of just thirteen countries. Now, the commercial trade terms are sold in over 140 countries. This number continues to increase every year.

1 OFFICIAL CREATOR

Since its inception in 1919, ICC's mission has been to promote international trade and investment. Constituting a defined global language for trading across borders, ICC Incoterms® rules truly foster this undertaking.

As the originator and developer of the Incoterms® rules, ICC protects the name "Incoterms" and the Incoterms®2010 logo as trademarks to help the trading community identify official and authentic ICC products and services relating to the Incoterms® rules.

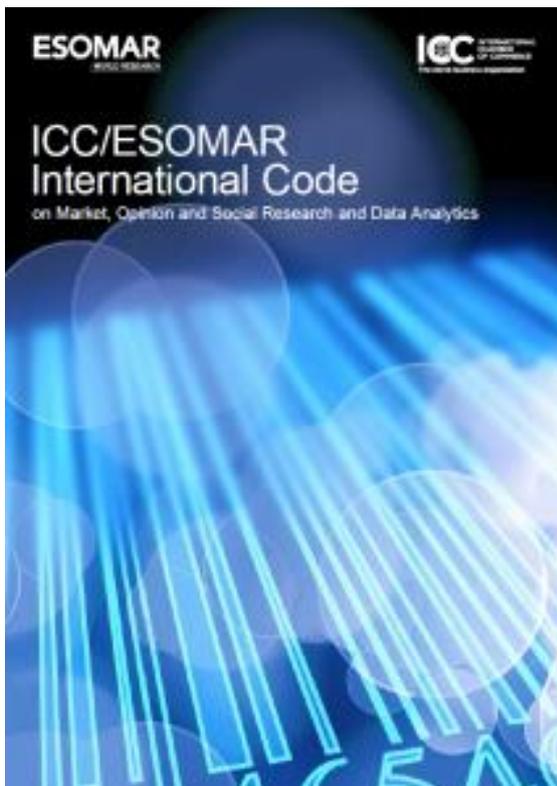
NEW GLOBAL CODE FOR MARKET, OPINION AND SOCIAL RESEARCH

End 2016, the International Chamber of Commerce (ICC) and the World Association for Market, Opinion and Social Research (ESOMAR) have released an important update to the ICC/ESOMAR International Code on Market, Opinion and Social Research and Data Analytics.

Drafted by an international team of research and privacy experts, the recent changes clarify researchers' responsibilities when using new methods for collecting data. The updated Code will not only ensure that traditional researchers and new entrants to the field remain sensitive to consumer

concerns, but also protect the privacy and security of all personal data collected.

ICC Secretary General John Danilovich said: *“ICC is delighted to present the latest revision of the Code. The changes underline our long-standing commitment to promote the highest standards of ethical behaviour. In this digital and data-driven age, it is vital to protect individuals who participate in research projects.”*



Much has changed in the way that research is conducted and the types of data that may be collected, accessed and/or used. Researchers are exploring alternative ways to integrate data from social media, mobile technology, the Internet of Things and other sources, therefore reducing their reliance on interviews by telephone or face-to-face survey research. This broad shift necessitated the update and allows researchers and data analysts to continue to

meet their responsibilities to the individuals whose data they process, as well as to the clients and organisations that they serve.

ESOMAR Director General Finn Raben said: *“Over the decades, we have witnessed a digital revolution. However, one thing that has not changed is our reliance on the cooperation of the public and their confidence that research is carried out honestly and objectively without infringing their privacy or creating disadvantages for those whose data is used in research.”*

Expanding the scope of the Code to include the data analytics community reflects the proliferation of data in which researchers assemble and analyse large databases to uncover patterns and deliver compelling new insights to clients. Data analytics can be used for other purposes. However, when applied for research, the Code guides and governs these activities to protect the interests of individuals.

Last revised in 2007, the Code is a recognised global standard for the US\$68 billion market research sector. The Code provides a unique set of guidelines for professionals who provide data-driven research solutions for business and social challenges.

The revision of the Code will continue to serve as the self-regulatory framework that has been successfully in place for many decades upheld by the entire ESOMAR membership and adopted or endorsed by over 60 national and international associations around the world to safeguard the rights of respondents, clients and researchers.

ICC STATEMENT ON AGE CONSIDERATIONS FOR MARKETING AND ADVERTISING TO CHILDREN AND TEENS

ICC unveiled in December 2016 its Statement on Code Interpretation to provide clarity on defining the appropriate age of children and young people when it comes to targeting them in advertising.

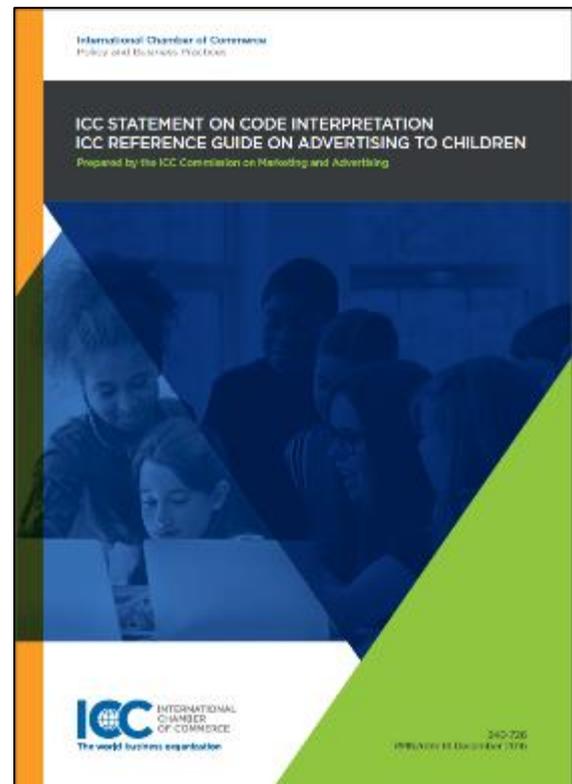
The ICC Consolidated Code of Marketing and Advertising Practice (“ICC Code) sets forth international standards for marketing communications. It includes provisions addressing special responsibilities for marketing products and services to children and young people. The ICC Code serves as the gold standard for most nationally applied self-regulation around the world.

The Statement on Code Interpretation is supplemented by a Reference Guide on Advertising to Children, which illuminates important research that supports the age parameters described in the Statement.

Created in response to the resurgence of initiatives to ban or limit data collection from children, the ICC Commission on Marketing and Advertising’s Research Guide is informed by almost 100 years of research on child development.

The Commission particularly recognizes that children and teens have different interests and abilities. In the discussion paper, ICC draws on crucial research outlining the difference in cognitive abilities, sensibilities and understanding between children and teens. The world business organization reaffirms its support for defining “children” as age 12 and younger (i.e. under 13 years old), and “young people” or “teens” as under age 18. These age parameters are consistent

with many content ratings, safety laws and self-regulatory initiatives around the world.



The growing globalization of markets as well as inconsistency in how “children” are defined from both a regulatory and self-regulatory perspective, presents a risk of undermining the ability to provide a workable and harmonized approach. “Children and young people will inevitably be exposed to marketing communications.” said Sheila Millar, Vice-Chair of the ICC Commission on Marketing and Advertising and Partner at Keller & Heckman. “While ICC recognizes that some local laws may define “children” and “young people” differently, ICC’s guidance takes a consistent and uniform approach regarding the age parameters of both groups and encourages a more coherent approach in marketing and

advertising practices to children and young people.”

ICC supports the view that special attention is required for marketing communications directed to children and teens. ICC developed this guidance to assist self-regulatory organizations seeking to implement marketing self-regulatory

initiatives at the local level as well as to promote harmonization of this approach across regions. ICC continues to promote the benefits of advertising self-regulation to enhance and preserve consumer trust and confidence in business and to preserve a dynamic marketplace where innovation flourishes.

Other services of ICC include the ICC International Maritime Bureau:



BUSINESS IN SOCIETY

ICC has a long tradition of corporate citizenship and self-regulation, making it recognized as the voice for global business, representing the interests of ICC members in global dialogues related to sustainability issues and problems.

2016 was the year of the entry into force of the United Nations' Sustainable Development Goals which seek to achieve three extraordinary things by 2030: end poverty, combat climate change and fight injustice and inequality.

Some interest groups argue that trade benefits big business while keeping workers trapped in poverty. Others claim that trade liberalization depletes and degrades the natural environment and is a central cause of climate change. But several landmark international agreements acknowledge that trade has an important role to play in promoting sustainability.



ICC GRANTED UN OBSERVER STATUS

On 13 December 2016 the United Nations (UN) General Assembly has granted Observer Status to the International Chamber of Commerce (ICC). The decision was taken by the 193 members of the UN General Assembly during its on-going 71st session in New York.

This is an historic achievement for ICC and one which provides a unique platform for the world business organisation to represent our

members in the world's greatest international forum. ICC is the only private-sector organisation to have been granted Observer Status at the General Assembly in the history of the United Nations.

The list of UN observers is highly restricted and features principally intergovernmental organisations.

ICC's new status could not have come at a more important time: not only does the United Nations 2030 Agenda place an unprecedented focus on the private sector to drive sustainable development; but we must also do more to counter growing populist and protectionist forces within the global economy. Obtaining Observer Status will—for the first time—provide a direct voice for business in the UN system to promote policies that foster sustainable & inclusive growth, job creation and economic cooperation.

Commenting on the decision, ICC Chairman Sunil Bharti Mittal said: *“This is huge recognition of the role that business can play in contributing to a better and peaceful world. Granting Observer Status to ICC sends a*

powerful signal that the UN recognizes business as a vital partner. We stand ready to ensure that the private sector plays a full role in meeting the ambition of the 2030 agenda.”



ICC has indicated that its key areas of engagement with the United Nations will be trade, sustainable development, the global refugee crisis, and the digital economy.



It is Louise Kantrow, ICC Permanent Representative to the United Nations since April 2007, who will become the first Permanent Observer for the International Chamber of Commerce (ICC) to the United Nations, by presenting her letter of appointment to UN Secretary-General António Guterres on 19 April 2017.



ICC AND THE UN: A PARTNERSHIP FOR PEOPLE, PLANET AND PROSPERITY

Did you know that ICC was the only private sector organization granted accreditation to the Conference on International Organization, a convention resulting in the creation of the United Nations Charter in 1945? Or that our top-level consultative status with the global body dates back to 1946?

In the 70 years since then, ICC's relationship with the UN has gone from strength to strength and we were proud in 2016 to support UN missions and goals, as the voice of global business in several UN specialized agencies.

Here we take a look at just six ways in which the world business organization contributes to the work of the UN.

Championing sustainable development

ICC is a prominent champion of the UN's 2030 Agenda for Sustainable Development. ICC was designated by the UN as the official business representative to the intergovernmental processes that led to its creation—from the Addis International Conference on Financing for Development, the Sendai Framework for Disaster Risk Reduction, the UN Sustainable Development Summit and the Paris Climate Summit ("COP21"). ICC remains the Business and Industry NGO "focal" point for business in the UN Framework Convention on Climate Change (UNFCCC), as well as for the High-level Political Forum (HLPF) on sustainable development, the central body for the follow-up and review of the implementation of sustainable development commitments and the 2030 Agenda for Sustainable Development, including the Sustainable Development Goals (SDGs).

Removing legal obstacles for international trade

ICC actively engages in the work of the UN Commission on International Trade Law (UNCITRAL) whose mandate is to remove legal obstacles for international trade. UNCITRAL's endorsement of ICC rules governing international commerce and dispute resolution – including our renowned Incoterms® rules – significantly promotes their worldwide acceptance.

Helping business to respect human rights

ICC supports the UN Working Group on Business and Human Rights and continues to be at the forefront in promoting business implementation of the UN Guiding Principles on business and Human Rights, a powerful and critical companion to the Sustainable Development Goals.

Building an inclusive information society

Upon request by the UN, ICC coordinated business input to the World Summit on the Information Society and today we continue to lead business engagement in follow up activities including the annual UN-linked Internet Governance Forum (IGF). Through its Business Action to Support the Information Society ICC contributes to the United Nations Commission on Science and Technology for Development (CSTD), which was tasked to assist in elements of the summit follow-up.

Curbing corruption

ICC provides global business input into the implementation of the UN Convention against Corruption (UNCAC) and has urged G20 leaders to ratify and implement the convention, encouraging work with non-G20 states toward its universal adoption and implementation.

Promoting intellectual property

ICC has a close working relationship with the World Intellectual Property Organization (WIPO) – one of the UN's 17 specialized agencies. ICC provides input into a range of WIPO processes in line with mission to

1946

ICC granted top-level consultative status with the United Nations (UN)

1955

Newly formed UN Economic Commission for the Far East encourages ICC's Commission for Asia and Far East Affairs to establish national committees in the regions

1969

ICC and UN establish the GATT Economic Consultative Committee to address common problems with heads of 8 UN Economic Organizations and the GATT

1984

ICC and UNEP stage first World Industry Conference on Environmental Management (WICEM)

1991

ICC launches Business Charter for Sustainable Development, one year ahead of the UN Rio "Earth Summit"

1999

ICC instrumental in creation of UN Global Compact

2001

ICC and UNCTAD establish the Investment Advisory Council at the 3rd UN Conference on LDCs

2007

ICC hosts first business day on the sidelines of COP 13

2015

ICC CEO letter in Financial Times calls on world leaders for a collaborative effort towards attainment of UN Global Goals

2016

ICC outlines 8 principles to mobilize investment for the UN Global Goals

1945

ICC only private sector organization granted accreditation to the Conference on International Organization (UNCIO), a convention resulting in the creation of the UN Charter

1953

ECOSOC reviews ICC proposals for a new international convention that would remove local law limitation and create a truly international arbitral enforcement regime which today applies in close to 150 territories

1972

UN invites ICC to participate in nomination of a preparatory panel of experts to report to the 1st UN Conference on the Human Environment

1979

ICC report details over 80 issues being worked on in conjunction with IGOs of the UN system

1992

UN endorses ICC Incoterms Rules

1998

High-level representatives from UN agencies participate in the ICC Geneva Business Dialogue

2003

ICC becomes signatory of UN Global Compact

UN and ICC announce plans to cooperate on project to stimulate investment flows to Africa and LDCs

2009

UN endorses ICC Documentary Credit Rules

2015

ICC leads business delegation of over 800 to Third International Conference on Financing for Development in Addis Ababa

UN and ICC announce plans to cooperate on project to stimulate investment flows to Africa and LDCs



promote efficient intellectual property (IP) systems that support international trade, encourage investment in creation and

ICC AT COP22

With the COP22 Conference on Climate Change currently underway, the International Chamber of Commerce (ICC) has issued new recommendations to enhance the contribution of market mechanisms to speeding emissions reductions under the Paris Climate Agreement.



From carbon pricing to cap-and-trade programmes, market-based policies are designed to cost-effectively reduce greenhouse gas emissions by creating financial incentives for companies to emit less. But these mechanisms need to be carefully designed to ensure their effectiveness in mitigating emissions while also enabling sustainable economic growth.

While acknowledging that market mechanisms are only one part of the policy mix, ICC strongly welcomes the availability of market-based instruments under the Paris Agreement. We believe these systems-if properly designed and implemented-could create new channels for climate finance, lead to technology transfer and capacity-building and hence support sustainable development in many areas.

Here are ICC's six recommendations to build robust and comprehensive market

innovation, and facilitate sustainable economic development.

mechanisms to curb carbon emissions and achieve the long-term goals of the Paris Agreement.

1. Build a robust framework for measuring, reporting and verification

In order for climate change mitigation to be an effective planning tool, countries need reliable information on emissions and actions. Measuring, reporting and verification (MRV) of states' progress is an important building block of the international climate regime.

It is vital that future emissions reduction projects are supported by robust and comprehensive MRV systems to encourage investments by business. This will contribute to reducing risks and widening engagement from the business community.

2. Integrity, transparency and reliability of emission reductions

In order to gain trust from all stakeholders, the environmental integrity of mitigation actions must be preserved under any chosen market mechanism. This can be achieved through the development and adoption of transparent standards that projects have to fulfil under a market instrument.

3. Ambition and predictability

Business recommends that countries outline in a transparent way how they intend to increase their ambition using voluntary cooperation and market-based instruments. This could be reflected in their Nationally Determined Contributions (NDCs).

4. Technology neutrality

Governments and business will need to deploy a whole host of technologies to counter the effects of climate change. A principle of technology neutrality should therefore be applied to encourage the widest

range of sustainable options, and identify the most cost-effective mitigation options.

5. Accessibility by parties and business

While standards are vital for environmental integrity, they should not lead to unnecessary administrative burdens that could prevent certain businesses – particularly small- and medium-sized enterprises (SMEs) – from implementing and participating in market instruments.

6. Working on sectoral baselines and standards for emissions reduction levels

A baseline is a level of emissions that serves as a reference to set a goal or target and measure progress. When setting a baseline, variables include metrics, scope and historical reference data.

The private sector is advised to maintain transparency on establishing baselines by including, for example, open and transparent consultation with experts of the specific economies.



BUSINESS CONTINUES TO SUPPORT SDGs ONE YEAR AFTER ENTRY INTO FORCE

One year after 20 of the world's leading businesses called on world leaders to commit to working actively and constructively with the private sector to achieve the United Nations' (UN) Sustainable Development Goals (SDGs) by 2030.

Writing in the Financial Times at the initiative of the ICC, business leaders made it clear that effective implementation of the SDGs would require widespread support from the private sector.

As heads of states gathered during September 2016 in New York for the 71st UN

General Assembly – a year after the formal adoption of the goals – here were 17 examples of how business delivered on its promise to provide expertise and innovation to foster sustainable development.

Goal 1: No poverty

DUPONT is working to improve the livelihoods of at least 3 million farmers and their rural communities by the end of 2020. The company directly touched more than 347,000 farmers in 2013.

Goal 2: No hunger

NESTLE made a global commitment in 2012 to help reduce the risk of under-nutrition

through micronutrient fortification by delivering 200 billion servings worldwide by 2016. In 2014, the company delivered 183 billion servings worldwide.

Goal 3: Good health

PFIZER has partnered with Gavi, an international vaccine alliance, to increase access to immunizations on an accelerated, affordable and sustainable basis. The company has committed to supply up to 740 million doses of PCV13 to countries that carry the greatest burden of pneumococcal disease.

Goal 4: Quality education

ERICSSON partnered with the Earth Institute and Millennium Promise to launch “Connect To Learn” – an education initiative that has provided scholarships and ICT technologies to schools in remote, impoverished areas worldwide. The project has been implemented in 22 countries and has improved the lives of 50,000 students, especially girls.

Goal 5: Gender equality

WALMART aspires to train 1 million women around the world in agriculture, manufacturing and retail trade in emerging markets. By the end of 2015, the Walmart Foundation and Walmart helped fund the training of 540,102 women globally – 297,655 of them in the agriculture value chain.

Goal 6: Clean water and sanitation

P&G launched the not-for-profit water programme “Children’s Safe Drinking” and has been working with a network of partners for 10 years to improve the health of children in developing countries. In 2014, 7 billion litres of clean drinking water were provided for children and families in need.

Goal 7: Renewable energy

NOVOZYMES has made considerable investments in energy efficiency. The company has reduced its CO2 emissions by 100,000 and saved \$US12 million per year by deploying 188 energy-saving projects across its global sites between 2009 and 2014.

Goal 8: Good jobs and economic growth

BECHTEL and partners have injected more than US\$78 million on local goods and services in 16 Peruvian towns through their “Las Bambas” project. The initiative has delivered thousands of training hours to indigenous entrepreneurs.

Goal 9: Innovation and infrastructure

PIRELLI aims to further reinforce its commitment to research and development in all business segments in order to develop safer, lower environmental impact products.

Goal 10: Reduced inequalities

MASTERCARD has partnered with UN Women to provide half a million Nigerian women with identity cards enabled with electronic payments functionality. The company works to reduce economic inequality through the power of identity.

Goal 11: Sustainable cities and communities

CITI has developed an initiative called “Citi for Cities” to identify and implement innovative solutions that help cities thrive during this period of unprecedented urban transformation. The company helped raise US\$862 million to help finance the Panama Metro, Central America’s first urban rail system.

Goal 12: Responsible consumption

DISNEY is planning to maintain potable water consumption at 2013 levels at existing sites by 2018, and develop water conservation plans for new sites. The company’s water consumption was recorded at 6.89 billion gallons in 2014, which falls slightly below the company’s baseline of 6.93 billion gallons.

Goal 13: Climate action

IBM and AECOM worked together with the UN Office for Disaster Risk Reduction to develop a scorecard to measure cities’ resilience to natural disasters. The scorecard will help cities improve preparedness to disasters by reviewing policy and planning in 80 assessment categories.

Goal 14: Life below water

DOW has collaborated with the Ocean Conservancy for more than 30 years to remove debris and pollutants from oceans

and waterways. In 2014, Dow volunteers in Taiwan helped remove more than 6,600 pounds of waste in Taipei, Hsinchu and Chiayi.

Goal 15: Life on land

SYNGENTA is promoting conservation practices based on minimum soil disturbance, crop rotation, permanent ground cover, and biodiversity enhancing landscape management. The company has projects in over 30 countries in Asia, Europe, Latin America and North America..

Goal 16: Peace and justice

BAKER & MCKENZIE has partnered with corporate leaders to develop a Business for the Rule of Law Framework document. The Framework provides guidance on how business can respect and support the rule of law.

Goal 17: Partnerships for the goals

CHEVRON established the “Angola Partnership Initiative” in 2002, partnering with international aid agencies such as USAID and the UN Development Programme (UNDP) to help rebuild Angola after years of civil war.

This had been preceded by a SDG Business Forum taking place in July 2016 at UN Headquarters in New York.

Convened by the International Chamber of Commerce (ICC), the UN Department of Economic and Social Affairs (UN-DESA), and the UN Global Compact – in collaboration with the Global Business Alliance (GBA) for 2030 – the forum took place during the first High Level Political Forum (HLPF) since the adoption of the 2030 Agenda for Sustainable Development and marks a first milestone for gauging business efforts during the first year of SDG implementation. Under the theme “Providing Solutions and Resources for Sustainable Development”, the forum also represented further opportunity to explore the

capacity of business to catalyse sustainable growth and development.

ICC Secretary General John Danilovich addressed participants during the forum’s opening plenary session. Mr Danilovich said: *“Building on the deep engagement last year between governments and the private sector, we are honoured to have been invited to co-host the first SDG Business Forum to take place during the UN’s High Level Political Forum.”*

Mr Danilovich also underscored the need to enhance awareness of the SDGs within the business community, saying: *“We still have a long way to go in fully engaging the global business community in the 2030 challenge. Research shows that many companies are unaware of sustainability considerations. That’s why we must do more to define responsible business as the new normal and to ensure that every business model has sustainability and inclusivity at its very heart.”*



United Nations Global Compact

Following the opening of the 2016 Forum, ICC and the UN Global Compact also signed a Memorandum of Understanding (MOU), sealing a partnership to improve awareness, opportunities and participation of the private sector in support of the UN 2030 Agenda for Sustainable Development and achievement of the SDGs.

Among other things, the MOU highlights the need to enhance UN engagement with business around the SDGs, and the potential for further increasing business and industry engagement in the implementation of the 2030 Agenda.



FDIS ARE A KEY PILLAR FOR SUSTAINABLE DEVELOPMENT AND GROWTH.

During the United Nation's (UN) General Assembly week of September 2016, a number of high-level meetings focused on the issue of accelerating capital flows and investment for the Sustainable Development Goals (SDGs).

The event provided an important opportunity for policymakers to make headway in addressing an estimated investment gap of US\$2.5 trillion, of which the private sector could make up US\$1.8 trillion. Addressing world leaders earlier this month during the G20 Summit in Hangzhou, China, UN Secretary-General Ban Ki-moon pinpointed financing as a key mechanism to implement the global goals both for sustainable development and climate action.

Echoing Mr Ban's conviction that the time has come to deliver on commitments made last year, the International Chamber of Commerce (ICC) says it is crucial to unlock private sector capital to support implementation of a financing framework, adopted in Ethiopia last year, to support the 2030 Agenda.

As discussions took place in New York, the world business organization drew attention to its eight principles to boost investor confidence and unlock private capital, and encourages policymakers to provide an essential foundation for leveraging the investment needed to eradicate poverty, combat climate change and ensure inclusive growth.

The principles – prepared by the ICC Commission on Trade and Investment Policy and supported by ICC's World Trade Agenda initiative are:

- Create an investment policy climate by adopting a holistic policy environment which nurtures private investment.
- Protect investment by supporting international investment agreements, which are important tools to protect foreign direct investment (FDI) flows.
- Include dispute resolution mechanisms in all investment agreements to ensure investors have direct access to effective and independent dispute settlement.

- Avoid sectorial discriminations in the negotiation of investment treaties which have a direct impact on the inflow of FDI.
- Devote greater attention to state-owned enterprises which can enjoy a range of preferential benefits and compete with the private sector in investment and trade areas.
- Refrain from abusing “national security” provisions in agreements and treaties for protectionist purposes. Such procedures should be applied in a transparent, fair and non-discriminatory manner if they are to be exceptionally used.
- Avoid forced localization provisions which have negative repercussions on both the investor and on the host country’s attractiveness as an investment destination.
- Work towards a high-standard multilateral framework on investment that would provide a clear set of rules for investors, governments and relevant stakeholders.

WORKING WITH THE ICC COMMISSIONS

The global ICC commissions are specialized working bodies composed of business experts accessible to Belgian delegates nominated by ICC Belgium that examine major issues of practical concern to world business and that work together to address cross-cutting subjects. They prepare policy products, including statements to inform and shape intergovernmental discussions and resulting policy, as well as rules and codes to facilitate international business transactions.

ARBITRATION AND ADR

MANDATE

As a forum for pooling ideas on issues relating to international arbitration and other forms of dispute resolution, the ICC Commission on Arbitration and ADR aims to:

- Draft and amend ICC’s Arbitration, Mediation, Expert, Dispute Board and other forms of dispute resolution rules.
- Study the juridical and other aspects of arbitration and other modes of international dispute settlement, and examine them in view of current developments.
- Provide reports, guidelines and best practices on a range of topics of current relevance to the world of international dispute resolution, with a view to improving ICC dispute resolution services.
- Create a link among arbitrators, counsel and users to enable ICC dispute resolution to respond effectively to users’ needs.
- Promote ICC’s various dispute resolution services globally.

Belgian Delegates in the ICC Commission on Arbitration and ADR

- Cedric Alter, JANSON BAUGNIET
 - Niuscha Bassiri, HANOTIAU & VAN DEN BERG
 - Maxime Berlingin, FIELDFISHER
 - Olivier Caprasse, HANOTIAU & VAN DEN BERG
 - Karel Daele, MISHCON DE REYA
 - Marc Dal, DALDEWOLF
 - Charles De Jager, CROWELL & MORING BRUSSELS
 - Dirk De Meulemeester, LEXLITIS GHENT-DE MEULEMEESTER & PARTNERS
 - Aimery de Schoutheete, LIEDEKERKE WOLTERS WAELEBROECK KIRKPATRICK
 - Patrick De Wolf, DALDEWOLF
 - Quentin Declève, VAN BAEL & BELLIS
 - Luc Demeyere, CONTRAST -EUROPEAN AND BUSINESS LAW
 - Jean-Michel Detry, DLA PIPER UK LLP
 - Maarten Draye, HANOTIAU & VAN DEN BERG
 - Johan Erauw, ERAUW
-

- Jean-François Germain, FIELDFISHER
- Audrey Goessens, CEPANI
- Sophie Goldman, TG LAW
- Bernard Hanotiau, HANOTIAU & VAN DEN BERG
- Yves Herinckx, HERINCKX SPRL
- Pascal Hollander, HANOTIAU & VAN DEN BERG
- Grégoire Jakhaian, LOYENS & LOEFF
- Benoît Kohl, STIBBE
- Françoise Lefèvre, LINKLATERS DE BANDT –BRUSSELS
- Henri-Paul Lemaître, LAZAREFF LE BARS
- Jacques Levy-Morelle, SOLVAY S.A.
- Jacques Malherbe, LIEDEKERKE WOLTERS WAELEBROECK KIRKPATRICK
- Didier Matray, MATRAY, MATRAY & HALLET
- Flip Petillion, CROWELL & MORING BRUSSELS
- Maud Piers, BELGISCH CENTRUM VOOR ARBITRAGE EN MEDIATIE
- Emmanuel Roger France, FIELDFISHER
- Dominique Smeets, GRAYSTON & COMPANY LAW FIRM
- Erica Stein, DECHERT LLP
- Jean-François Tossens, TG LAW
- Anne Vallery, VVGB
- Emma Van Campenhoudt, CEPANI
- Albert-Jan Van den Berg, HANOTIAU & VAN DEN BERG
- Marc van der Haegen, NAUTADUTILH
- Dirk Van Gerven, NAUTADUTILH
- Annet van Hooft, BIRD & BIRD
- Hans Van Houtte, INSTITUTE FOR INTERNATIONAL TRADE LAW UNIVERSITY OF LEUVEN
- Vera Van Houtte, VAN HOUTTE
- Herman W. Verbist, EVEREST LAW

BANKING

MANDATE

To serve as a global forum and rule-making body for banks worldwide, with particular focus on the financing of international trade.

Belgian Delegates in the Banking Commission

- Christine Centner, BNP PARIBAS FORTIS BANK
- Adrien de Hemptinne, BNP PARIBAS FORTIS
- Yvan De Smet, BELFIUS BANK
- Bruno De Vuyst, JANSON BAUGNIET
- Brigitte de Wilde, SWIFT
- Martine Delierneux, ING BANK BELGIUM

- Jean-Michel Detry, DLA PIPER UK LLP
- Marie-Christine Diaz, SWIFT BELGIUM
- David Dobbins, SWIFT BELGIUM
- Johan Doens, ING BANK BELGIUM
- Carlos Faucon, BNP PARIBAS FORTIS BANK
- Marie-Charlotte Henseval, SWIFT BELGIUM
- Yves Herinckx, HERINCKX SPRL
- Urs Kern, SWIFT GERMANY GMBH
- Patrick Krekels, SWIFT BELGIUM
- Nadine Louis, SWIFT BELGIUM
- Robert Marchal, SWIFT BELGIUM
- Luc Meurant, SWIFT BELGIUM
- Jean Minne, BNP PARIBAS FORTIS BANK
- Anne-Mie Ooghe, FEBELFIN
- Rita Ricci, BNP PARIBAS MONTREAL
- Stacy Rosenthal, SWIFT AMERICAS
- Emile Rummens, KBC BANK BRUSSELS
- Lisbeth Schepens, BNP PARIBAS FORTIS BANK
- Gerald Stevens, TRIALYS
- Françoise Van De Gaer, ING BANK BELGIUM
- Herman Van Mol, BNP PARIBAS FORTIS BANK
- Joost Verlinden, LINKLATERS DE BANDT-BRUSSELS
- Hugo Verschoren, ING BANK BELGIUM
- James Wills, SWIFT PAN AMERICAS

COMMERCIAL LAW AND PRACTICE

MANDATE

To set global business standards for international B2B transactions and provide world business input on commercial rules developed by intergovernmental organizations.

Belgian delegates in the Commission on Commercial Law and Practice

- Maxime Berlingin, FIELDFISHER
 - Luc Demeyere, CONTRAST-EUROPEAN AND BUSINESS LAW
 - Jean-Michel Detry, DLA PIPER UK LLP
 - Johan Erauw, ERAUW
 - Jean-François Germain, FIELDFISHER
 - Peter Gjotler, GRAYSTON & COMPANY LAW
 - Sohpie Goldman, TG LAW
 - Pieter Haesaert, CUSTOMS4TRADE
 - Yves Herinckx, HERINCKX SPRL
 - Grégoire Jakhian, LOYENS & LOEFF – BRUSSELS
 - Didier Matray, MATRAY, MATRAY & HALLET
-

- Pedro Oliveira, BUSINESS EUROPE
- Emmanuel Roger France, FIELDFISHER
- Jean-François Serrier, SOLVAY
- Anne Vallery, VVGB
- Goedele Van der Linden, MARSH SA/NV
- Hans Van Houtte, INSTITUTE FOR INTERNATIONAL TRADE LAW UNIVERSITY OF LEUVEN
- Herman W. Verbist, EVEREST
- Joost Verlinden, LINKLATERS DE BANDT – BRUSSELS

COMPETITION

MANDATE

To ensure that business needs and markets are taken into account in the formulation and implementation of competition laws and policies.

Belgian delegates in the Commission on Competition

- Dirk De Meulemeester, LEXLITIS GHENT -DE MEULEMEESTER & PARTNERS
- Quentin Declève, VAN BAEL & BELLIS
- Charles Gheur, BURSON MARSTELLER
- Yves Herinckx, HERINCKX
- Guido Lobrano, BUSINESSEUROPE
- Pedro Oliveira, BUSINESSEUROPE
- Erik Peetermans, VBO-FEB
- Dominique Smeets, GRAYSTON & COMPANY LAW FIRM
- Anne Vallery, VVGB
- Bernard van de Walle de Ghelcke, LINKLATERS DE BANDT – BRUSSELS
- Paulette Vander Schueren, MAYER BROWN EUROPE BRUSSELS LLP
- Herman W. Verbist, EVEREST

CORPORATE RESPONSIBILITY AND ANTI-CORRUPTION

MANDATE

To develop policy recommendations and practical tools from a global business perspective on corporate responsibility and fighting corruption.

Belgian delegates in the Commission on Corporate Responsibility and Anti-corruption

- Carlos Desmet, *DESMET
- Peter Gjortler, GRAYSTONE & COMPANY LAW FIRM
- Pascal Lizin, GLAXOSMITHKLINE VACCINES
- Sandrine Merveille, GLAXOSMITHKLINE VACCINES
- Pedro Oliveira, BUSINESSEUROPE

- D'Arcy Quinn, CROPLIFE INTERNATIONAL
- Goedele Van der Linden, MARSH SA/NV
- Paulette Vander Schueren, MAYER BROWN EUROPE BRUSSELS LLP
- François Vincke, VINCKE

CUSTOMS AND TRADE FACILITATION

MANDATE

To promote simplified customs and transport policies and procedures as well as other measures to facilitate international trade.

Belgian delegates on Customs and Trade Facilitation

- Jean Baeten, VBO-FEB
- Christophe Coulie, FEDERATION OF BELGIAN CHAMBERS OF COMMERCE IN BELGIUM
- Charles De Jaeger, CROWELL & MORING – BRUSSELS
- Lorenzo Di Masi, CROWELL & MORING – BRUSSELS
- Bert Gevers, LOYENS & LOEFF
- Pieter Haesaert, CUSTOMS 4 TRADE
- Ilaria Mancino, CUSTOMS 4 TRADE
- Yves Melin, MCGUIREWOODS
- Eric Ponthieu, ECONOMIC & SOCIAL COMMITTEE OF THE EUROPEAN COMMUNITY
- Jan Robbroeckx, UMICORE
- Anne Vallery, VVGB
- Katrien Van Loocke, ABH (AGENTSCHAP BUITENLANDSE HANDEL)
- Lionel Van Reet, PWC
- Paulette Vander Schueren, MAYER BROWN EUROPE BRUSSELS LLP

DIGITAL ECONOMY

MANDATE

To promote the global development of the digital economy and continued growth of its underlying information and communication technologies (ICTs) and related business models, through private sector policy leadership, regulatory advocacy and the promotion of best practice.

Belgian delegates in the Commission on Digital Economy

- Anne-Sophie Coppens, MARSH BELGIUM & BENELUX
 - Gérard de Laminne de Bex, COMEOS (2015<)
 - Bruno De Vuyst, JANSON BAUGNIET
 - Sofia Dilinos, IAB EUROPE
 - Townsend Feehan, IAB EUROPE
 - Alison Fennah, IAB EUROPE
 - Christopher Kuner, WILSON SONSINI GOODRICH & ROSATI
-

- Alex Macarescu, IAB EUROPE
- Matthias Matthiesen, IAB EUROPE
- Ionel Naftanaila, IAB EUROPE
- Diego Noesen, CROWELL & MORING
- Marie-Clare Puffet, IAB EUROPE
- Nathalie Ragheno, VBO-FEB
- Anne Vallery, VVGB
- Goedele Van der Linden, MARSH SA/NV
- Filip Van Elsen, ALLEN & OVERY LLP – ANTWERPEN
- Ivan Vandermeersch, BELGIAN DIRECT MARKETING ASSOCIATION (BDMV-AMBD)
- Tanguy Van Overstraeten, LINKLATERS
- Cécile Verhaegen, MARSH BELGIUM & LUXEMBOURG
- Heidi Waem, NAUTADUTILH

ENVIRONMENT AND ENERGY

MANDATE

To develop policy recommendations and tools to address major global environmental and energy issues, including climate change, green economy, sustainable development, and to make a substantive contribution to key intergovernmental discussions in these areas.

Belgian delegates in the Commission Environment and Energy

- Vanessa Biebel, VBO-FEB
- Guy Block, JANSON BAUGNIET
- Isabelle Chaput, PEPS
- Sophie Mertens-Stobbaerts, SUEZ TRACTEBEL S.A.

INTELLECTUAL PROPERTY

MANDATE

To promote efficient intellectual property (IP) systems that support international trade, encourage investment in creation and innovation, and facilitate sustainable economic development.

Belgian delegates in the Commission on Intellectual Property

- Bruno De Vuyst, JANSON BAUGNIET
- Sofia Dilinos, IAB EUROPE
- Johan Erauw, ERAUW
- Townsend Feehan, IAB EUROPE
- Alison Fennah, IAB EUROPE
- Ilias Konteas, BUSINESS EUROPE
- Patrick krekels, SWIFT
- Jan-Diederik Lindemans, CROWELL & MORING – BRUSSELS
- Alex Macarescu, IAB EUROPE

- Dominique Muyldermans, CROPLIFE INTERNATIONAL
- Ionel Naftanaila, IAB EUROPE
- Filip Petillion, CROWELL & MORING – BRUSSELS
- Nathalie Raghenno, VBO-FEB
- Jean-François Serrier, SOLVAY S.A. BRUSSELS
- Goedele Van der Linden, MARSH SA/NV
- Herman W. Verbist, EVEREST
- Françoise Vidts, MATRAY, MATRAY & HALLET

MARKETING AND ADVERTISING

MANDATE

To promote high ethical standards in marketing by business self-regulation through the Consolidated ICC Code of Advertising and Marketing Communications Practice and formulate world business positions and initiatives to address government actions that affect marketing and consumer protection.

Belgian delegates in the Commission on Marketing and Advertising

- Carlos Almaraz, BUSINESS EUROPE
- Lucas Boudet, IAB EUROPE
- Sofia Dilinos, IAB EUROPE
- Alison Fennah, IAB EUROPE
- Alex Macarescu, IAB EUROPE
- Matthias Matthiesen, IAB EUROPE
- Ionel Naftanaila, IAB EUROPE
- Chris Payne, WORLD FEDERATION OF ADVERTISERS
- Marie-Clare Puffet, IAB EUROPE
- Sandrine Sepul, CONSEIL DE LA PUBLICITE
- Ivan Vandermeersch, BELGIAN DIRECT MARKETING ASSOCIATION (BDMV-AMBD)

TAXATION

MANDATE

To promote transparent and non-discriminatory treatment of foreign investments and earnings that eliminates tax obstacles to cross-border trade and investment.

Belgian delegates in the Commission on Taxation

- Jean Baeten, VBO-FEB
 - Jacques Malherbe, LIEDEKERKE WOLTERS WAELEBROECK KIRKPATRICK
 - Goedele Van der Linden, MARSH SA/NV
 - Paulette Vander Schueren, MAYER BROWN EUROPE BRUSSELS LLP
 - Marc Verbeek, KARMA CONSULTING
-

TRADE AND INVESTMENT POLICY

MANDATE

To promote cross-border trade and investment by business and an open global economy to foster job creation, sustainable development, and improve living standards.

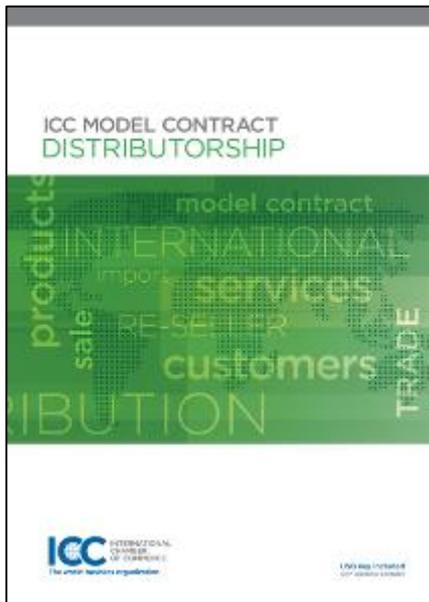
Belgian delegates in the Commission on Trade and Investment Policy

- Bruno De Vuyst, JANSON BAUGNIET
- Yves Herinckx, HERINCKX SPRL
- Yves Melin, MCGUIREWOODS
- Malorie Schaus, VBO-FEB
- Anne Vallery, VVGB
- Goedele Van der Linden, MARSH SA/NV
- Lionel Van Reet, PWC

ICC PUBLICATIONS 2016 (SELECTION)

All these publication and more are available on ICC Belgium's online shop:

<http://www.iccwbo.be/shop/>



New revised version - ICC Model Contract "Distributorship"

ICC Product No. 776E, 2016 Edition

This new version takes into account recent developments in the laws affecting distribution.

Distributorship contracts are one of the most frequently used means for organizing the distribution of goods in a foreign country. Almost every company engaged in international trade has some distributors abroad, which means that most exporters will be faced with drafting an international distributorship agreement at some point. But one of the difficulties that traders face when drawing up contracts is the lack of uniform regulations. This means that parties must refer primarily to the rules set out in their agreements, which in turn makes the careful drafting of such contracts vital.

The ICC Model Contract on Distributorship provides a uniform contractual framework which incorporates the prevailing practice of international trade. It specifically applies to agreements under which the distributors act either as buyers and resellers, or as importers who organize distribution in the country in which they operate. This new revised version takes into account recent developments in the laws affecting distribution.

It includes a USB key which contains the full text of the model and its annexes, permitting you to easily adapt the contract to your specific case. If parties have no need to draw up a special contract of their own, they can use the entire model, which has been drafted to assure balance for both sides.



ICC GUIDE ON TRANSPORT and the Incoterms® 2010 Rules

ICC Product No. 775E, 2016 Edition

The ICC Guide on Transport and the Incoterms® 2010 Rules is a new handbook providing clarity and practical support to those in the transport sector working on transactions involving the Incoterms® rules.

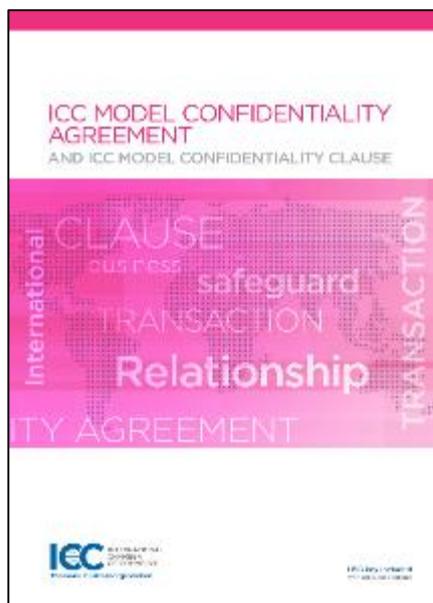
When goods need to be transported from a seller to a buyer, in most cases an independent carrier is involved. This guide has been developed to clarify multiple issues arising in the interrelation of contracts of carriage and the Incoterms® 2010 rules in contracts for the sales of goods and help readers address the complex steps of today's logistics chains.

Covering each of the 11 rules and reflecting both types of sales when the buyer contracts for carriage and when the seller does so, this book is a must-have for those in the transport sector.

The full text of the Incoterms © 2010 rules is also included in the book.

All these publication and more are available on ICC Belgium's online shop:

<http://www.iccwbo.be/shop/>



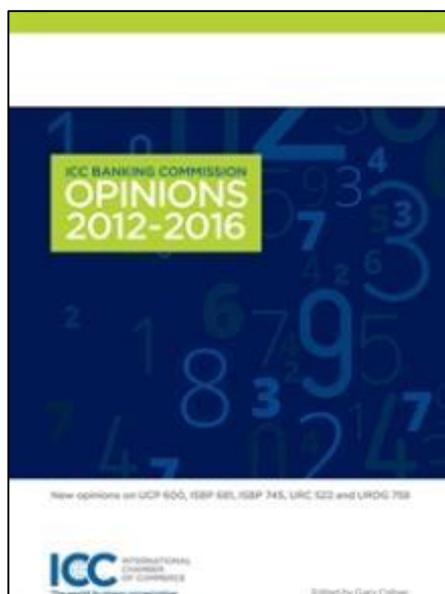
Model Confidentiality Agreement

ICC Model Confidentiality Clause
ICC Product No. 774E, 2016 Edition

Before entering a business transaction, companies of all sizes have to consider how to protect sensitive information by drafting a non-disclosure agreement. As each company tries to build a confidentiality contract in its favour, the process may often cause long discussions, delays and higher transaction costs.

In order to lower the time and efforts spent on negotiations, ICC has developed the ICC Model Confidentiality Agreement and ICC Model Confidentiality Clause. Aimed to assist business people and lawyers who are not necessarily experts on the subject, ICC offers a balanced cross-sectorial model taking into account interests of both disclosing and receiving parties. Moreover the ICC Models can be used in relation to all kinds of confidential information and a wide variety of business transactions. The ICC Model Confidentiality Agreement and ICC Model Confidentiality Clause provide to industry and commerce a common platform acceptable in different jurisdictions and countries.

In 2016, the ICC Model Confidentiality Agreement and ICC Model Confidentiality Clause were carefully reviewed by the ICC's Commission on Commercial Law and Practice and particularly by its Task Force on Confidentiality Agreements, to include the latest changes in practice.



ICC Banking Commission Opinions 2012-2016

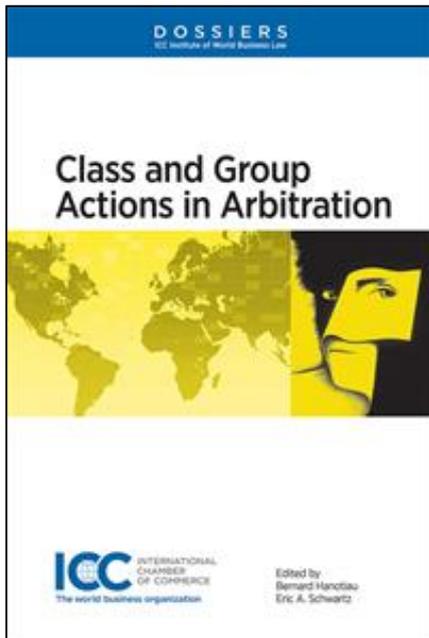
New opinions on UCP 600, ISBP 681, ISBP 745, URC 522 and URDG 758

Edited by Gary Collyer
ICC Product No. 785E, 2016 Edition

This important volume contains the official Opinions issued by the International Chamber of Commerce's Banking Commission during the years 2012-2016 in the sequence TA755rev to TA840rev. The 82 Opinions included in these pages reflect how ICC's universally used rules of letters of credit, bank-to-bank reimbursements, documentary collections and demand guarantees are applied in everyday practice.

In this volume, practitioners will find answers to frequently asked questions, among them:

- How to sign and declare the signing capacity under a transport document?
- Can a credit amount be underdrawn when a documentary requirement includes a final shipment certificate?
- How to determine an original insurance document and how many originals need to be presented?



Class and Group Actions in Arbitration

Co-edited by Bernard Hanotiau & Eric A. Schwartz

ICC Product No. 771E, 2016 Edition

This publication examines the complex issues involved in class or group arbitration on a comparative law basis. Is there a place for such proceedings within the framework of the arbitration process? Class action procedures, as developed in the United States court system and more recently in Canada, are almost nonexistent in Europe.

The book highlights the lessons which have been learned from the experience of cases in the US and in Europe. What does the future hold for class, collective and mass arbitrations? Are they a marginal phenomenon or has their potential yet to be realized? What are possible solutions to the issues that have been encountered? Can we expect to see more of such arbitrations in the future?

Written by arbitrators, academics and practitioners, this Dossier will provide the answers to these questions and many more.



AGREED!

Negotiation/mediation in the 21st century

Thierry Garby

ICC Product No. 777E, 2016 Edition

In the 2nd half of the 20th century, scientific research unveiled the psychological mechanisms which contribute towards the forming of agreements.

Mediation started to break impasses that negotiation could not resolve. This book shows how these findings result in an incredibly powerful method to negotiate contracts and treaties and resolve conflicts of all sorts.

With over 30 years of experience in negotiation and mediation, the author underlines the importance of dealing with and using emotions as constructive elements in conflict resolution. Written in an easy to read manner and citing many well-known references, this book will appeal to all professionals of negotiation and mediation, lawyers, corporate counsels, business managers, unions and association representatives, project managers, mediators etc.

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(06.2016-....)



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Secretary General
(09.2014-...)



Julie Deré
Management Assistant
(05.2014)

(1) Honorary Chairman of the Boston Consulting Group Belgium

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In Memoriam



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Honorary CEO *FEB*
Honorary Secretary General
ICC Belgium
† 17-11-2014



François-Gabriel CEYRAC
ICC Director of the National Committees and Membership
† 17-06-2015

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¹ *Chairman since 1 June 2016*

² *Secretary General since 1 September 2014*

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Region General Manager Europe, SOLVAY

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Honorary Chair

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kirkpatrick

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PHILIP MORRIS
BENELUX



port+



SIEMENS



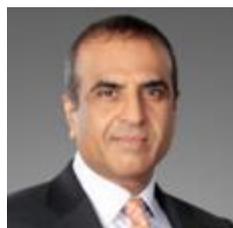
Stibbe



VAN BAELE & BELLISS



ICC CHAIRMANSHIP AND SECRETARY GENERAL



CHAIRMAN

SUNIL BHARTI MITTAL

Sunil Bharti Mittal became Chairman of ICC on 15 June 2016. Mr Mittal is the Founder and Chairman of Bharti Enterprises, one of India's leading conglomerates with diversified interests in telecom, insurance, real estate, agri and food, besides other ventures. Bharti has joint ventures with several global leaders: Singtel, SoftBank, AXA, and Del Monte, among others. Bharti Airtel, the group's flagship company, is among the world's largest telecommunications companies, offering mobile, fixed broadband and digital TV solutions to over 350 million customers across India, South Asia and Africa. Mr Mittal is a recipient of the Padma Bhushan, one of India's highest civilian honours, awarded to individuals for demonstrating distinguished services of high order.



HONORARY CHAIRMAN

HAROLD MCGRAW II

Harold (Terry) McGraw III became Honorary Chairman of ICC on 15 June 2016, after serving as Chairman since July 2013. Mr McGraw is Chairman Emeritus of S&P Global. He served as non-executive Chairman of McGraw Hill Financial from November 2013 to April 2015, and as Chairman, President and CEO from 1999.



VICE-CHAIRMAN

FREDERICO CURADO

Frederico Fleury Curado became Vice-Chairman of ICC on 1 July 2015. Mr Curado was President and CEO of Embraer S.A. from 2007 until June 2016.



FIRST VICE-CHAIRMAN

JOHN W.H. DENTON

Sunil Bharti Mittal became Vice-Chairman of the International Chamber of Commerce on July 1, 2013 and First Vice Chairman on the 18 March 2015. He is the Founder & Chairman of Bharti Enterprises which has interests in telecom, retail, realty, financial services, renewable energy and agri-products. Bharti Airtel, the group's flagship company is the world's third largest telecommunication company with operations in 20 countries across Asia and Africa. Sunil is a recipient of the Padma Bhushan, one of India's highest civilian awards.



VICE-CHAIRMAN

DENNIS NALLY

Dennis M. Nally became Vice-Chairman of the International Chamber of Commerce on 1 July 2015. Mr Nally is Chairman of PricewaterhouseCoopers International, the coordinating and governance entity of the PwC network.



SECRETARY GENERAL

JOHN DANILOVICH

John Danilovich has been Secretary General of the International Chamber of Commerce since June 2014. Mr Danilovich is a global business leader with extensive experience in maritime and trade-related issues. He has served as US Ambassador to Brazil and to Costa Rica and as the CEO of the Millennium Challenge Corporation.

THE INTERNATIONAL CHAMBER OF COMMERCE (ICC)



INTERNATIONAL
CHAMBER
OF COMMERCE

ICC is the world business organization, a representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world.

The mission of ICC is to promote open international trade and investment and help business meet the challenges and opportunities of an increasingly integrated global economy. Its conviction that trade is a powerful force for peace and prosperity dates from the organization's origins early in the 20th century. The small group of far-sighted business leaders who founded ICC called themselves "the merchants of peace".

ICC has three main activities: rule setting, dispute resolution, and policy advocacy. Because its member companies and associations are themselves engaged in international business, ICC has unrivalled authority in making rules that govern the conduct of business across borders. Although these rules are voluntary, they are observed in countless thousands of transactions every day and have become part of the fabric of international trade.

ICC also provides essential services, foremost among them the ICC International Court of Arbitration, the world's leading arbitral institution. Another service is the World Chambers Federation, ICC's worldwide network of chambers of commerce, fostering interaction and exchange of chamber best practice. ICC also offers specialized training and seminars and is an industry-leading publisher of practical and educational reference tools for international business, banking and arbitration.

Business leaders and experts drawn from the ICC membership establish the business stance on broad issues of trade and investment policy as well as on relevant technical subjects. These include: banking, commercial law and practice, competition policy, corporate responsibility and anti-corruption, customs and trade facilitation, the digital economy, environment and energy, intellectual property, marketing and advertising, taxation, and trade and investment policy.

ICC works closely with the United Nations, the World Trade Organization and intergovernmental forums including the G20.

ICC was founded in 1919. Today its global network comprises over 6 million companies, chambers of commerce and business associations in more than 130 countries. National committees work with ICC members in their countries to address their concerns and convey to their governments the business views formulated by ICC.



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