



Shared Prosperity Dignified Life



The Arab Business Legislative Frameworks 2023 Report

 Nathalie Khaled

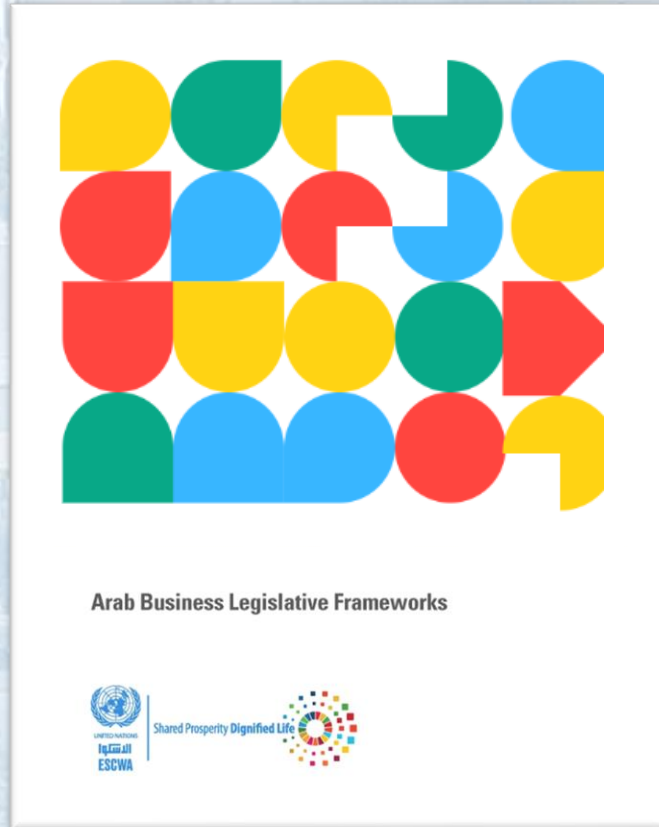
Project Coordinator, Enhancing Competition and Consumer Law and
Policy in the Arab region
Economic Affairs Officer -UNESCWA



The Arab Business Legislative Frameworks 2023 Report



2023



2015



2021





The Areas of Study



Competition

Understanding market dynamics, anti-competitive regulations, and the advancement of competition policy in the Arab region



Anti-Corruption

Understanding the regulations governing transparency, accountability, and institutional trust



Consumer Protection

Safeguarding consumer interests, focusing on fair conduct, product safety, and digital spaces.



Foreign Direct Investment (FDI)

Evaluating regulations that promote or restrict foreign investments in the Arab region.

New in 2023



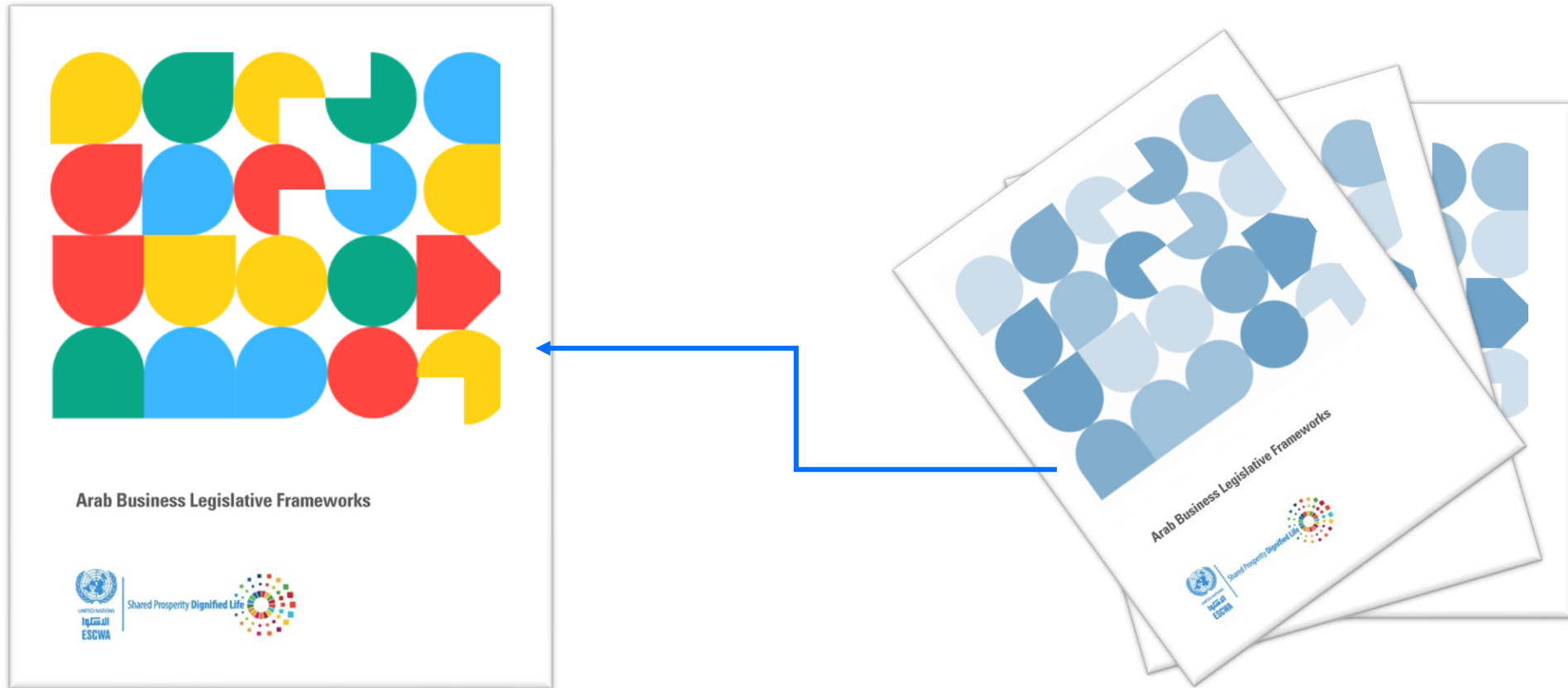
Corporate Law

Understanding commercial registration, corporate governance, mergers, insolvency, ESG, and more





The Report and Country Profiles





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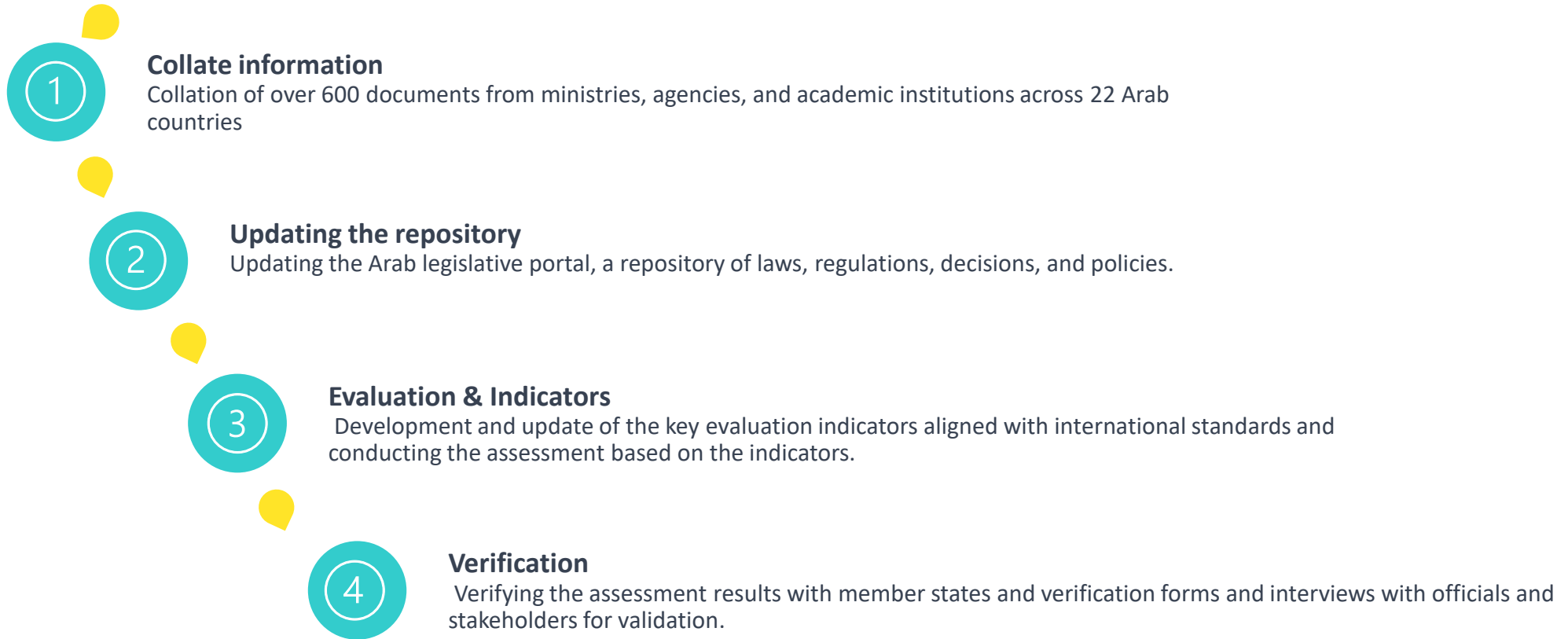
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Methodology





Methodology





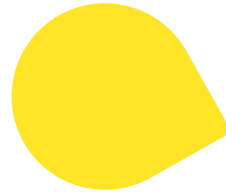
Methodology



Collate information



Updating the repository



The Collating & Updating is done through the Arab Legislative Portal
The portal contains all the documents that were included In the assessment





Methodology



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3

Evaluation & Indicators

Development and update of the key evaluation indicators aligned with international standards and conducting the assessment based on the indicators.

The evaluation process was done through a desk review and mapping of the related legislations and documents on the evaluation matrix.

The evaluation matrix consists of 227 crafted indicators to map all 5 fields of study in the assessment

label::English	Category	Oman	Jordan	Kuwait	Lebanon	Libya	Mauritani	Morocco	Iraq	Palestine
Corporate										
Commercial Registration		7	6	6	5	5	5	6	4	5
1) Are there national legislations that allows e-governance for the establishment of institutions (to ease the process)?	Institutions	1	0	1	0	0	0	1	0	1
2) Do national legislations clearly define a specific timeframe to accomplish the process of registration of business and get approval?	Definitions	1	1	1	1	1	0	0	1	0
3) Does the commercial registrar assess solely the provided documents when establishing a company?	Institutions	1	1	1	0	1	1	1	1	1
4) Does the legislation clearly state that commercial registrar has offices in different region?	Institutions	1	1	0	1	1	1	1	0	1
5) Does the legislation specify all the documents needed to register at the commercial registrar?	Institutions	1	1	1	1	1	1	1	1	1
6) Does the legislation allow third parties to have access to companies documents in the registrar?	Accessibility/Transpare	1	1	1	1	1	1	1	0	1
7) Does the legislation mandate companies to possess a tax identification number for the monitoring procedures conducted by tax authorities?	Enforcement	1	1	1	1	0	1	1	1	1
Financial Access and Incentives		4	3	4	1	1	2	4	1	1
8) Are there regulations that allow loans to be given to small and medium businesses?	Laws/Decrees	1	1	1	0	1	1	1	0	0
9) Are there laws or regulations to guarantee the accorded loan for SMEs (through an established institution)?	Institutions	1	0	1	0	0	0	1	0	0
10) Does the law allow the establishment of an investment fund to assist newly established SMEs within your Jurisdiction?	Institutions	1	1	1	0	0	0	1	1	1
11) Does legislation clearly mention investment incentives based on the sector's importance and/or productivity?	Definitions	0	1	1	1	0	1	0	0	0
12) Are there legislations that provides an incentive scheme to ease the registration fees for newly established businesses?	Laws/Decrees	1	0	0	0	0	0	1	0	0
Corporate Tax Regime		4	3	4	4	3	0	4	4	4
13) Are there legislations that clearly defines corporate tax?	Definitions	1	1	1	0	1	0	1	1	1
14) Does legislation exempt non resident local companies from tax regime?	Exemptions	1	0	1	1	1	0	0	1	1
15) Does the legislation set out the Tax regime for subsidiaries of a parent entity?	Definitions	1	1	1	1	1	0	1	1	1
16) Within the legislation are there exemption of taxing profits through a specified reinvesting schemes?	Exemptions	0	0	0	1	0	0	1	1	1
17) Are there international treaties that cover tax evasion and/or financial crimes?	International Agreeeme	1	1	1	1	0	0	1	0	0



Methodology



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4

Verification

Verifying the assessment results with member states and [verification forms](#) and interviews with officials and stakeholders for validation.



Countries that verified the results

Consumer (6): Jordan, Bahrain, Palestine, Tunisia, Lebanon, Oman

FDI (4): Morocco, Palestine, Kuwait, Qatar

Corruption (4): Iraq, Morocco, KSA, Qatar

Competition (12): KSA, Kuwait, Oman, UAE, Iraq, Syria, Egypt, Morocco, Tunisia, Mauritania, Bahrain, Jordan

مصر	مثالي	الاستثمار الاجنبي المباشر
رأي الجهة المختصة Approve <input type="checkbox"/>	تقييم الاسكوا نعم	قوانين/المراسيم المصرفية هل توجد تشريعات تسمح بقروض طويلة الأجل للمستثمرين الأجانب فيما يتعلق بالقروض المصرفية؟ كانت الإجابة بنعم، أدخل التبريع / السلطة ذات الصلة
إن لم يكن كذلك ، فقم بالتعليق	قانون المصارف (2004) - ملحة 70	
Approve <input type="checkbox"/>	نعم	القوانين / المراسيم هل هناك تشريعات وطنية تنظم القطاع المصرفي؟ كانت الإجابة بنعم، أدخل التبريع / السلطة ذات الصلة
إن لم يكن كذلك ، فقم بالتعليق	قانون المصارف (2004)	
Approve <input type="checkbox"/>	كلا	القوانين / المراسيم هل توجد أشكال من الرقابة على رأس المال وقيود أخرى على سيولة رأس مال داخل القطاع المصرفي (كابيتل كونترول)؟ كانت الإجابة بنعم، أدخل التبريع / السلطة ذات الصلة
إن لم يكن كذلك ، فقم بالتعليق		



Indicators



Competition

62 indicators



Consumer Protection

43 indicators



Anti-Corruption

37 indicators



Foreign Direct Investment (FDI)

37 indicators



Corporate Law

48 indicators

The assessment combines a total of

227 indicators

Components

Each of the assessment components has a set of indicators



Indicators

Each of the indicators targets a legislative element
(marked as an element indicator while targeting the topic of the component)

Elements:

- Laws & Decrees
- Definitions
- Institutions
- International Agreements
- Enforcement
- Exemptions
- Accessibility/Transparency





Indicators

Components Each of the assessment components has a set of indicators



Indicators

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- Accessibility/Transparency

Each of the indicators targets a legislative element
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Components



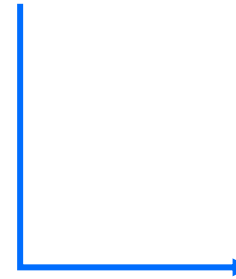
Competition Components:

- Anti-Dominance and Monopolisation Laws
- Anti-Trust and Competition Laws
- Cartels and Anti-Competitive Agreements
- Competition Enforcement Practices
- International Trade Agreements
- Labor Protection
- Liberalisation and Competition Intervention in Regulated Sectors
- Merger Regulatory Regime



Example:

Indicator 29: Are vertical and horizontal agreements defined by the Competition Law? (**Definitions**)



This indicates the **Element** classification for the indicator

Based on:

- OECD New Indicators on Competition Law and Policy (2013)
- UNCTAD Model Law on Competition
- United Nations Set of Principles on Competition





Components



Consumer Protection Components:

- E-Commerce and Consumer Protection
- Measures Enabling Consumers to Obtain Redress
- Physical Safety Regulations
- Promotion of Sustainable Consumption
- Protection of Consumers' Economic Interests

New in 2023

Example:

Indicator 39: Are there institution/s that monitor/enforce the consumer protection law in E-commerce transactions? (**Institutions**)

This indicates the **Element** classification for the indicator

Based on:

- United Nations Guidelines on Consumer Protection
- UNCTAD's Manual on Consumer Protection (2017 Edition)





Components



Anti-Corruption Components:

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

Based on:

- UN Comprehensive Self-Assessment Checklist
- UNDP's User's Guide to Measuring Corruption and Anti-Corruption
- UN Anti-Corruption Toolkit

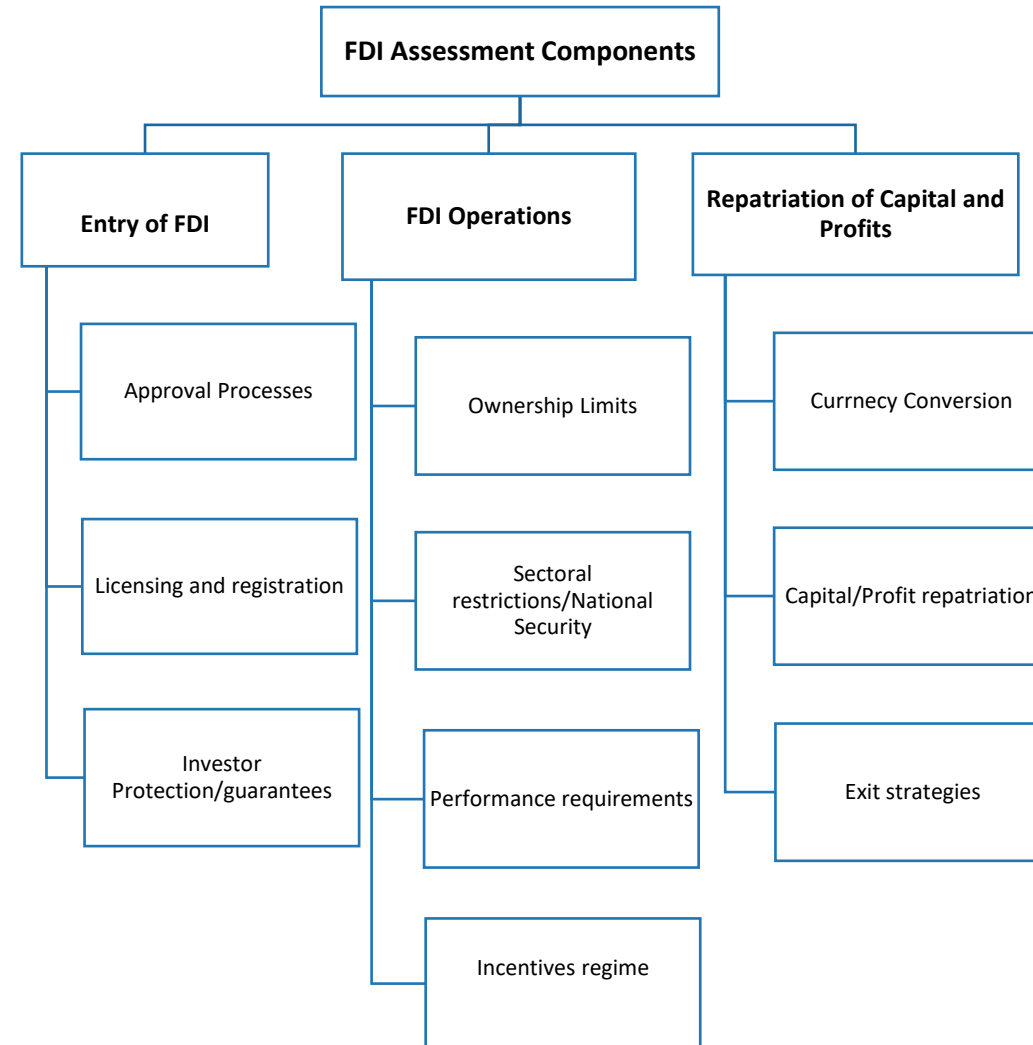




Components



Foreign Direct Investment (FDI) Components





Components



Corporate law Components:

- Establishment of a Company
 - Registration with the Commercial Register
 - Financial Access & Business Establishment Incentives
- Operation of a Company
 - Shareholders/Investors Rights
 - Corporate Governance
 - Sustainability & Diversification Duties
- Liquidation of a Company
 - Restructuring & Insolvency Provisions
 - Mergers & Acquisitions





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The Scoring

- Evaluate the regulatory framework on a scale of 0 to 7.
- Binary scoring for indicators: "Yes" scores 1 and "No" scores 0

$$\text{Main heading Score} = \frac{(\text{Sum of Indicator Scores for Main Heading})}{(\text{Ideal Sum for Main Heading})} \times 7$$

$$\text{Element Score} = \frac{(\text{Sum of Indicator Scores for Element})}{(\text{Ideal Sum for Main Heading})} \times 7$$





The Scoring System Classifications

Classification (Score)	Number	Description
Very Strong	6 – 7	Legislative frameworks that score 'Very Strong' are deemed to match, or be highly close to, international guidelines and the model law templates.
Strong	5 – 5.99	Legislative frameworks that score 'Strong' are the closest to the very strong standards as recommended by international guidelines and indicators.
Developed	4 – 4.99	The 'Developed' classification indicates that a legislative framework is in a developed stage; it proves relatively effective but does not meet international standards.
Moderate	3 – 3.99	The legislative framework is at a developing stage in comparison to very strong international standards. Certain aspects of the legislation perform effectively, but improvements are needed.
Basic	2 – 2.99	The legislative framework in a country with this score is basic or sub-par compared to general international standards. This legislation has the minimum structure or performance in comparison to very strong standards.
Weak	1 – 1.99	A legislative framework scored as 'Weak' is very far from strong international standard; it exists but often fails to be effective.
Very Weak	0 – 0.99	The 'Very Weak' classification is the lowest score, indicating the legislative frameworks that are highly ineffective and close to non-existent, or that there are no defined laws in the specified category.
No Score	0	The 'No Score' classification appears in case there is no law - this means that the legislative framework does not exist. The 'No Score' classification will be shown as blank.





Limitation

There were certain limitations while conducting the study:

1. **Stakeholder Responses:** The research faced challenges in obtaining feedback from certain stakeholders.
2. **Accessibility Issues:** Some essential documents for assessment were not publicly available or accessible

In the Verification process:

1. **Time Constraints:** Some of the member states were unable to verify the results within the verification timeframe





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Competition





Competition

Key Findings from the Competition Chapter

Assessment:

- Regional scores for most competition assessment components increased since the previous report.
- GCC countries progressed from 'Developed' to 'Strong', with significant legislative amendments leading the charge
- The Arab region's competition law trajectory showed a shift from 'Moderate' in 2020 closer to 'Developed' in 2023.
- Growing acknowledgment of anti-trust laws, leading to increased adoption of competition laws across Arab countries.
- Regional scores for most competition assessment components increased since the previous report.
- LDCs are considered the weakest in the region

Key Elements:

- Transparency and clear definitions remain areas of concern
- Exemptions remained the weakest element of competition legislation across the Arab region.
- labor protection and cartels emerging as key concerns





Competition

Competition Regulations amendments between 2020 and 2023

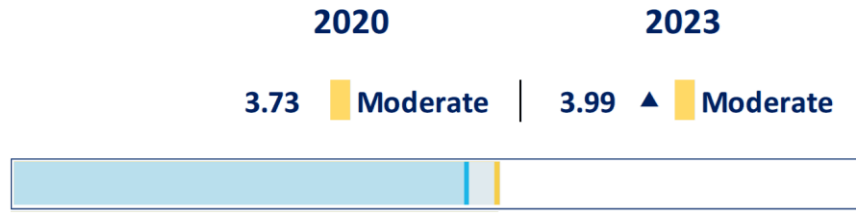
Country	Competition Legislation
Egypt	Amended <u>its</u> Competition Law <u>via Law No. 175/2022</u>
Kuwait	Competition Law <u>No. 72/2020</u> ; Implementing Regulations <u>No. 14/2021</u> ; Resolution <u>No. 25/2022</u>
Lebanon	Competition Law <u>No. 281/2022</u>
Oman	Ministerial Decision <u>No. 18/2021</u>
Sudan	Ministerial Decree <u>No. 513/2020</u> Executive Regulation for Prevention of Monopoly and Unfair Commercial Practices (unavailable)
Saudi Arabia	Implementing Regulation for Competition Law (2020); Mergers and Collusion Guidelines (2021-2022).



Arab Region

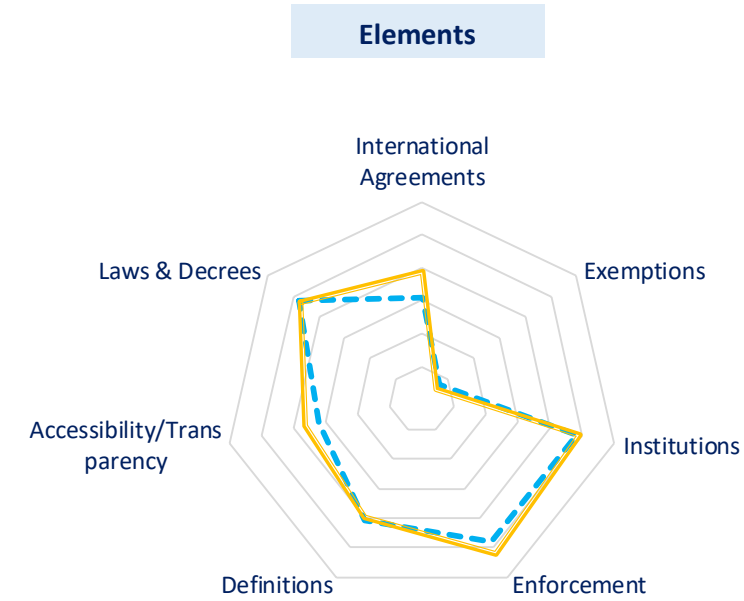


Moderate



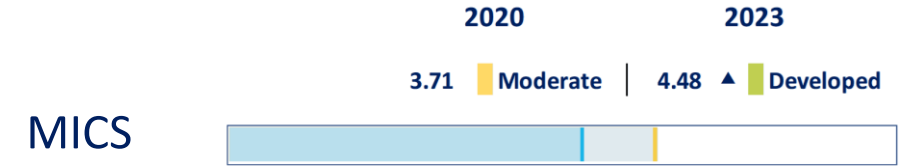
2023 2020

Components	2020	2023
Anti-Dominance and Monopolisation Laws	3.85 Moderate	4.07 ▲ Developed
Anti-Trust and Competition Laws	4.19 Developed	4.31 ▲ Developed
Cartels and Anti-Competitive Agreements	3.77 Moderate	3.58 ▼ Moderate
Competition Enforcement Practices	4.14 Developed	4.51 ▲ Developed
International Trade Agreements	2.35 Basic	3.69 ▲ Moderate
Labor Protection	2.86 Basic	2.68 ▼ Basic
Liberalisation and Competition Intervention in I	2.86 Basic	3.02 ▲ Moderate
Merger Regulatory Regime	4.35 Developed	4.69 ▲ Developed





Competition



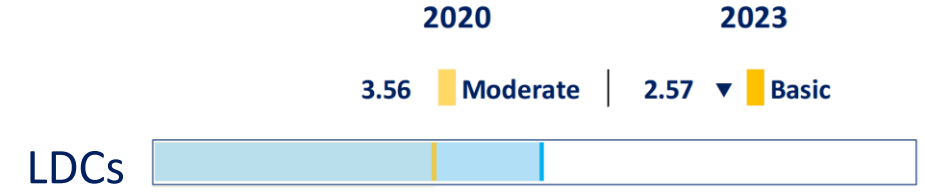
2023 2020

Components

Components	2020	2023	2020	2023
Anti-Dominance and Monopolisation Laws	4.80 ■ Developed	5.37 ▲ Strong	3.76 ■ Moderate	4.55 ▲ Developed
Anti-Trust and Competition Laws	4.77 ■ Developed	5.30 ▲ Strong	4.24 ■ Developed	4.35 ▲ Developed
Cartels and Anti-Competitive Agreements	4.50 ■ Developed	4.67 ▲ Developed	4.00 ■ Developed	4.38 ▲ Developed
Competition Enforcement Practices	4.93 ■ Developed	5.73 ▲ Strong	4.02 ■ Developed	5.09 ▲ Strong
International Trade Agreements	3.03 ■ Moderate	4.90 ▲ Developed	2.10 ■ Basic	3.97 ▲ Moderate
Labor Protection	3.31 ■ Moderate	3.67 ▲ Moderate	2.72 ■ Basic	2.67 ▼ Basic
Liberalisation and Competition Intervention in I	2.92 ■ Basic	3.50 ▲ Moderate	2.92 ■ Basic	2.92 ▶ Basic
Merger Regulatory Regime	5.25 ■ Strong	6.56 ▲ Very Strong	4.47 ■ Developed	6.13 ▲ Very Strong



Competition



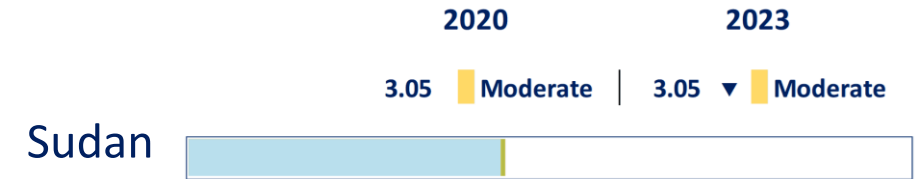
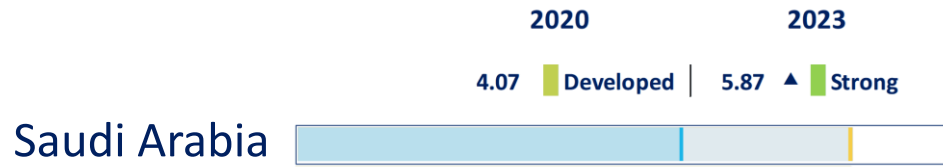
2023 2020

Components

Components	2020		2023		2020		2023	
	Score	Category	Score	Change	Score	Category	Score	Category
Anti-Dominance and Monopolisation Laws	3.89	Moderate	4.06	▲	3.24	Moderate	1.96	▼ Weak
Anti-Trust and Competition Laws	3.69	Moderate	4.07	▲	4.03	Developed	3.31	▼ Moderate
Cartels and Anti-Competitive Agreements	3.40	Moderate	2.98	▼	3.33	Moderate	1.93	▼ Weak
Competition Enforcement Practices	3.89	Moderate	3.95	▲	3.76	Moderate	2.93	▼ Basic
International Trade Agreements	1.68	Weak	2.52	▲	2.80	Basic	3.08	▲ Moderate
Labor Protection	2.10	Basic	2.00	▼	2.92	Basic	2.20	▼ Basic
Liberalisation and Competition Intervention in F	2.80	Basic	2.80	▶	2.92	Basic	2.80	▼ Basic
Merger Regulatory Regime	2.80	Basic	2.98	▲	4.67	Developed	2.45	▼ Basic



Competition



2023 2020

Components

Components	2020	2023	2020	2023
Anti-Dominance and Monopolisation Laws	3.89 Moderate	6.30 Very Strong	3.89 Moderate	3.50 Moderate
Anti-Trust and Competition Laws	5.09 Strong	6.36 Very Strong	3.18 Moderate	3.18 Moderate
Cartels and Anti-Competitive Agreements	4.00 Developed	6.13 Very Strong	3.00 Moderate	2.63 Basic
Competition Enforcement Practices	4.67 Developed	5.73 Strong	3.89 Moderate	3.18 Moderate
International Trade Agreements	2.80 Basic	4.20 Developed	0.00 Very Weak	4.20 Developed
Labor Protection	2.33 Basic	4.00 Developed	1.17 Weak	1.00 Weak
Liberalisation and Competition Intervention in F	3.50 Moderate	7.00 Very Strong	0.00 Very Weak	0.00 Very Weak
Merger Regulatory Regime	4.67 Developed	7.00 Very Strong	5.83 Strong	4.38 Developed



Assessment Results

Results of the assessment on the subregional level

- In the GCC countries, while they have made commendable strides in competition regulation, there are still areas that need attention. The exemptions in their competition laws, especially those favoring State-Owned Enterprises (SOEs), are a primary concern. Furthermore, clarity in defining terms related to competition is crucial for effective enforcement.
- In MICs, the challenges largely mirror those of the GCC. However, the importance of establishing independent competition authorities is emphasized for these countries. It ensures unbiased and efficient enforcement of competition laws, free from potential political interference.
- In Conflict-Affected Countries, the socio-political unrest has naturally influenced their business environments. While some countries have existing competition laws, others lack them altogether. Establishing dedicated competition laws and ensuring the creation of national competition authorities can pave the way for a more competitive landscape.
- Lastly, for the LDCs, the inherent challenges stem from their economic status and the lack of a well-established competition culture. While they might have provisions for competition, they often lack the strong institutions needed for enforcement. Additionally, ensuring that the legislation is accessible and well-structured will be instrumental in promoting competition in these countries.





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Anti-Corruption





Anti-Corruption

Key messages from the Anti-Corruption Chapter

Assessment:

- MICs and GCC subregion Anti-corruption regulatory framework is considered “Strong” in comparison to international standards
- 21 out of the 22 Arab countries have ratified the United Nations Convention against Corruption.
- Regional strengths in key areas such as anti-corruption and integrity in the public sector, anti-bribery and whistleblowing laws, and public procurement standards, all of which have attained Developed Stage
- Certain areas such as digital government, open government, and transparency, have only reached a moderate level of development

Key Elements:

- Elements of accessibility, transparency, and international agreement have only advanced to the moderate classification.
- the region's presence of laws and decrees related to corruption topic has strengthened.





Anti-Corruption

Anti-Corruption Regulations amendments between 2020 and 2023

Country	Anti-Corruption Legislation
Morocco	Anti-Corruption Law No. 46.19
Qatar	Penal Code 2004, Arts 140-158, Code of Conduct (Law No. 18/2020)
Sudan	Anti-Corruption National Commission Law
Lebanon	Law on Anti-Corruption in the public sector and the establishment of the National Anti-Corruption Authority (Law No. 175/2020) Law on Financial Disclosure, Conflicts of Interest, and Illicit Enrichment New Public Procurement Law (No. 244/2021)
Saudi Arabia	Public Procurement Law M/128 Digital Government Authority Law (No. 418/2021)

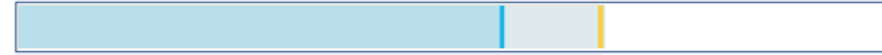


Arab Region



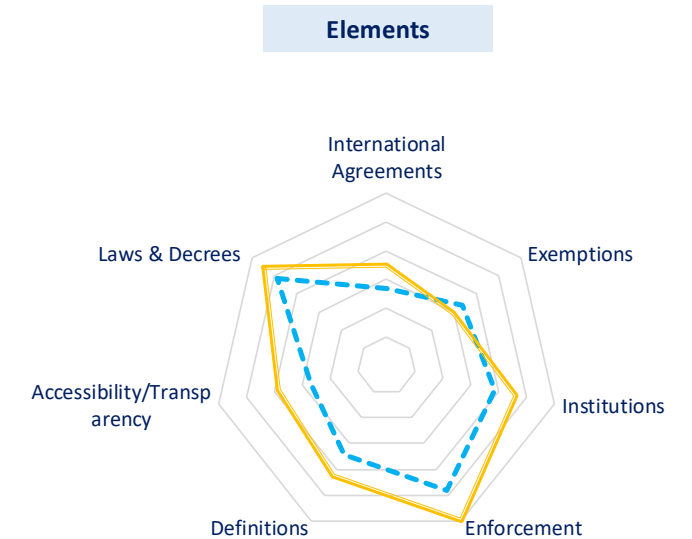
Developed

2020 3.86 Moderate | 2023 4.65 Developed



2023 2020

Components	2020	2023
Anti-Bribery and Whistle Blow Laws	4.00 Developed	4.48 Developed
Anti-Corruption and Integrity in Public Sector	5.25 Strong	6.01 Very Strong
Budgeting and Public Expenditures	3.50 Moderate	4.77 Developed
Digital Government	2.23 Basic	3.34 Moderate
Open Government and Transparency	2.63 Basic	3.98 Moderate
Public Procurement Standards	3.43 Moderate	4.24 Developed





Anti-Corruption



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GCC



Strong

2020

4.51 Developed

2023

5.17 Strong



MICs



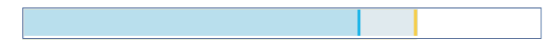
Strong

2020

4.54 Developed

2023

5.30 Strong



2023 2020

Components

Components	2020	2023	2020	2023
Anti-Bribery and Whistle Blow Laws	4.67 Developed	4.86 ▲ Developed	5.06 Strong	5.44 ▲ Strong
Anti-Corruption and Integrity in Public Sector	5.54 Strong	5.98 ▲ Strong	6.42 Very Strong	6.56 ▲ Very Strong
Budgeting and Public Expenditures	4.08 Developed	5.83 ▲ Strong	5.83 Strong	5.83 ► Strong
Digital Government	3.50 Moderate	6.42 ▲ Very Strong	4.08 Developed	4.67 ▲ Developed
Open Government and Transparency	4.38 Developed	4.67 ▲ Developed	1.46 Weak	4.96 ▲ Developed
Public Procurement Standards	3.76 Moderate	4.67 ▲ Developed	3.37 Moderate	4.15 ▲ Developed



Anti-Corruption



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CACs



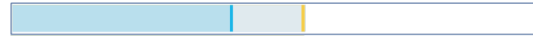
Moderate

2020

2.91 Basic

2023

3.86 Moderate



LDCs



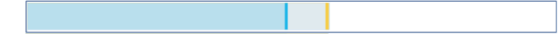
Moderate

2020

3.44 Moderate

2023

3.97 Moderate



2023 2020

Components

Components	2020	2023	2020	2023
Anti-Bribery and Whistle Blow Laws	3.03 Moderate	3.85 Moderate	3.01 Moderate	3.62 Moderate
Anti-Corruption and Integrity in Public Sector	4.03 Developed	5.95 Strong	4.81 Developed	5.25 Strong
Budgeting and Public Expenditures	2.10 Basic	2.80 Basic	1.75 Weak	3.50 Moderate
Digital Government	0.00 Very Weak	0.70 Very Weak	0.58 Very Weak	1.40 Weak
Open Government and Transparency	2.10 Basic	2.10 Basic	3.21 Moderate	3.15 Moderate
Public Procurement Standards	2.96 Basic	3.73 Moderate	3.89 Moderate	4.36 Developed



Anti-Corruption



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Morocco



Strong

2020 4.92 Developed | 2023 5.68 Strong



Oman



Developed

2020 4.16 Developed | 2023 4.73 Developed



Components

Components	Morocco		Oman	
	2020	2023	2020	2023
Anti-Bribery and Whistle Blow Laws	6.42 Very Strong	6.42 ▶ Very Strong	3.50 Moderate	2.92 ▼ Basic
Anti-Corruption and Integrity in Public Sector	7.00 Very Strong	6.13 ▼ Very Strong	6.13 Very Strong	7.00 ▲ Very Strong
Budgeting and Public Expenditures	7.00 Very Strong	7.00 ▶ Very Strong	3.50 Moderate	3.50 ▶ Moderate
Digital Government	3.50 Moderate	3.50 ▶ Moderate	0.00 Very Weak	7.00 ▲ Very Strong
Open Government and Transparency	0.00 Very Weak	3.50 ▲ Moderate	3.50 Moderate	5.25 ▲ Strong
Public Procurement Standards	3.11 Moderate	5.44 ▲ Strong	4.67 Developed	4.67 ▶ Developed



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Consumer Protection





Consumer Protection

Key message from the Consumer Protection Chapter

Assessment:

- The shift towards digital transactions underscores the demand for robust and adaptable regulations. These regulations are crucial for effectively shielding consumers from online threats.
- Consumer Protection is considered the weakest among all fields of study in the Arab region.
- Regional scores for most consumer protection assessment components increased since the previous report.
- The promotion of sustainable consumption is considered basic at the regulatory aspect in the Arab region.

Key Elements:

- Enforcement mechanisms still necessitate further attention across the region considered basic on average.
- GCC and MICs adopted provisions covering the e-commerce
- GCC issued the Unified Law for Combating Commercial Fraud No. 20/2019 and its implementing regulation
- MICs emphasize market control and securing consumers' interests.
- In LDCs, the consumer protection regulatory framework is considered the weakest in the Arab





Consumer Protection

Consumer Protection Regulations amendments between 2020 and 2023

Country	Consumer Protection Legislation
Mauritania	Adopted New Consumer Protection <u>Law No. 007/2020</u>
Syria	Adopted New Consumer Protection <u>Law No. 8/2021</u>
UAE	Adopted New Consumer Protection <u>Law No. 15/2020</u>



Arab Region



Moderate

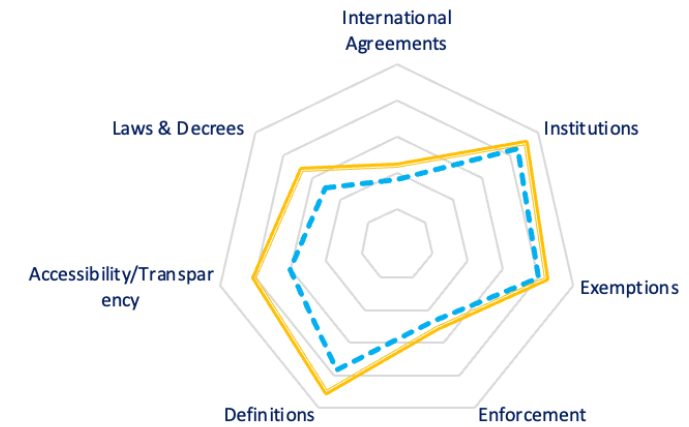


2023 2020

Components

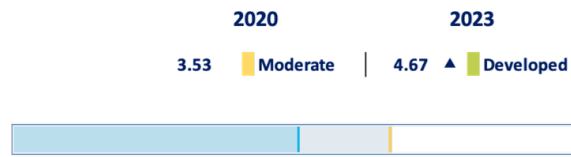
Components	2020	2023
E-Commerce and Consumer Protection	- - -	2.83 ▲ Basic
Measures Enabling Consumers to Obtain Redress	3.22 Moderate	4.06 ▲ Developed
Physical Safety Regulations	3.82 Moderate	4.30 ▲ Developed
Promotion of Sustainable Consumption	1.41 Weak	2.15 ▲ Basic
Protection of Consumers' Economic Interests	4.83 Developed	5.30 ▲ Strong

Elements





Consumer Protection



2023 2020

Components

Components	2020	2023	2020	2023
E-Commerce and Consumer Protection	-	4.15 ▲ Developed	-	5.19 ▲ Strong
Measures Enabling Consumers to Obtain Redress	4.08 Developed	4.81 ▲ Developed	4.38 Developed	5.25 ▲ Strong
Physical Safety Regulations	4.23 Developed	5.98 ▲ Strong	4.96 Developed	5.25 ▲ Strong
Promotion of Sustainable Consumption	1.65 Weak	3.01 ▲ Moderate	1.94 Weak	3.21 ▲ Moderate
Protection of Consumers' Economic Interests	5.64 Strong	6.81 ▲ Very Strong	6.22 Very Strong	6.61 ▲ Very Strong



Consumer Protection

CACs



2020 3.25 Moderate | 2023 3.09 Moderate



LDCs



2020 0.95 Very Weak | 2023 1.24 Weak



2023 2020

Components

Components	2020		2023		2020		2023	
	Score	Category	Score	Category	Score	Category	Score	Category
E-Commerce and Consumer Protection	-	-	1.52	Weak	-	-	0.00	Very Weak
Measures Enabling Consumers to Obtain Redress	3.15	Moderate	4.03	Developed	1.02	Weak	1.75	Weak
Physical Safety Regulations	4.55	Developed	4.55	Developed	1.75	Weak	2.10	Basic
Promotion of Sustainable Consumption	1.40	Weak	1.52	Weak	0.78	Very Weak	0.47	Very Weak
Protection of Consumers' Economic Interests	5.37	Strong	5.60	Strong	2.33	Basic	2.80	Basic



Consumer Protection

Mauritania



Basic

2020 2023

0.00 ■ Very Weak | 2.44 ▲ ■ Basic

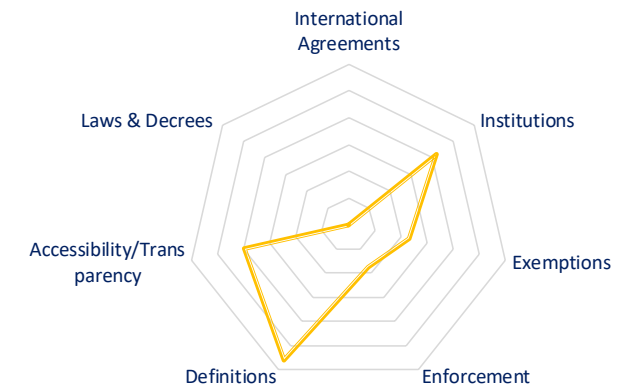


2023 2020

Components

Components	2020	2023
E-Commerce and Consumer Protection	- - -	0.00 ▶ ■ Very Weak
Measures Enabling Consumers to Obtain Redress	0.00 ■ Very Weak	4.38 ▲ ■ Developed
Physical Safety Regulations	0.00 ■ Very Weak	4.38 ▲ ■ Developed
Promotion of Sustainable Consumption	0.00 ■ Very Weak	0.00 ▶ ■ Very Weak
Protection of Consumers' Economic Interests	0.00 ■ Very Weak	5.83 ▲ ■ Strong

Elements





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Foreign Direct Investment





FDI Law Assessment Structure

- The FDI Law assessment was divided into 3 main components:
 - Entry of FDI
 - Operations of FDI
 - Repatriation of Capital and Profits
- The indicators of Entry of FDI cover:
 - Approval Processes
 - Licensing and registration
 - Protection and guarantees for investors
- The indicators of the FDI operations cover:
 - Ownership Limits
 - Sectoral Restrictions
 - Performance Requirements
 - Incentive Regime
- The indicators of the Repatriation of Capital and Profits cover:
 - Currency Conversion
 - Capital/Profit Repatriation
 - Exit Strategies





FDI Law – Key Findings

For the Entry of FDI

- All GCC, Egypt, and Morocco have established an online platform for the registration of foreign investments.
- All Arab countries grant guarantees to protect foreign investors such as equal treatment, expropriation of investment projects, intellectual property rights, etc.
- All Arab countries allow ADR, and only Libya did not ratify the New York Convention

For the FDI operations

- All GCC, Egypt, and Morocco allow 100% foreign ownership in various sectors (with some restrictions)
- All Arab Countries provide incentives and establish free zones for investments

For the Repatriation of Capital and Profits

- All FDI Legislation in Arab countries allows the free transfer of Investment capital and revenue





FDI Law – Regional Score



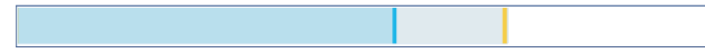
2023 2020

Arab Region

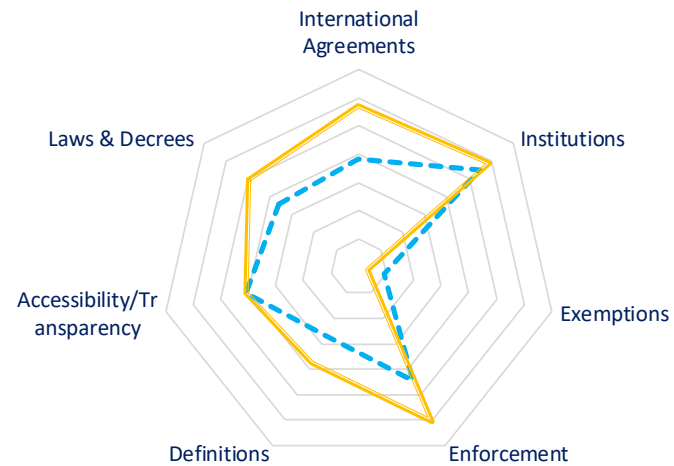


Developed

2020 2023
3.74 Moderate | 4.84 ▲ Developed



Elements





FDI Law –Sub-regional Score

GCC



Strong

2020 2023
3.69 Moderate | 5.23 Strong

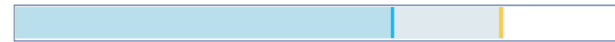


MICs



Strong

2020 2023
4.32 Developed | 5.55 Strong



CACs



Developed

2020 2023
3.87 Moderate | 4.24 Developed

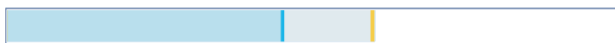


LDCs



Developed

2020 2023
3.11 Moderate | 4.12 Developed





FDI Legislation – Developments

We are Highlighting some of the Key Developments in the Arab Region:

- Qatar has implemented reforms to strengthen labor laws and enhance protections for foreign workers. Some of the key reforms include:
 - Introducing Decision (No. 95/2019) that eliminates the need for exit permits for the majority of workers
 - Announcing procedures that enable workers to change employment without requiring a No-Objection Certificate
 - Implementing a non-discriminatory minimum wage to ensure fair remuneration
- In Saudi Arabia, Foreign investors must now obtain approval from the General Authority for Competition in the event of a merger or an acquisition of shares
- Sudan adopted the following measures:
 - Joined the IBAN system
 - Adopted a dual banking system
 - Established a new investment body responsible for monitoring investment projects





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Corporate Law





Corporate Law Assessment Structure

- The Corporate Law assessment was divided into 3 main components:
 - Establishment of a Company
 - Operation of a Company
 - Liquidation of a Company
- The indicators of the establishment process cover:
 - Process of registering a company before the Commercial Register
 - Provided financial access and incentives for the establishment of businesses
- The indicators of the operation process cover:
 - Shareholders/investors rights
 - Corporate governance
 - Sustainability and diversification duties
- The indicators of the Liquidation Process cover:
 - Existence of provisions covering the restructuring and insolvency process
 - Mergers and acquisitions.





Corporate Law – Key Findings

For the establishment Process

- GCC, Egypt, Morocco, and Tunisia have adopted e-platforms for registering and licensing companies
- GCC, Lebanon, Morocco, Tunisia, and Egypt have provisions that impose on established companies to declare the beneficial owner
- Yemen and Somalia do not provide in their Law accessibility to third parties

For the operation process

- GCC (except for Kuwait), Jordan, Lebanon, and Egypt have adopted provisions to allow online board meetings
- All Arab Countries lack provisions ensuring employees' rights in companies
- Public financial institutions in GCC, Egypt, and Morocco issued guidelines for public companies including a Matrix for ESG reporting

For the Liquidation process

- GCC (Except for Qatar), Morocco, Egypt, and Jordan, have adopted restructuring provisions for companies in financial distress
- All Arab countries have adopted Corporate Bankruptcy provisions that ensure protection for creditors' interests.

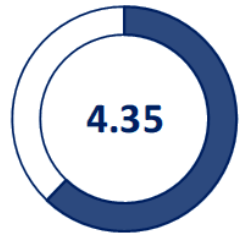




Corporate Law – Regional Score



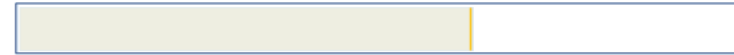
Arab Region



Developed

2023

4.35 Developed



Components

2023

Commercial Registration

5.32 Strong



Financial Access and Incentives

3.63 Moderate



Shareholders/Investors rights and Corporate Governance

4.97 Developed



Sustainability duty on Corporations

2.86 Basic



Diversity and Inclusion

0.85 Very Weak



Insolvency and Restructuring

3.92 Moderate



Mergers and Acquisitions

4.77 Developed





Corporate Law – Sub-regional score

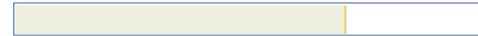
MICs



Developed

2023

4.89 Developed



LDCs



Basic

2023

2.89 Basic



Components

2023

2023

Component	Score	Category
Commercial Registration	5.67	Strong
Financial Access and Incentives	4.20	Developed
Shareholders/Investors rights and Corporate Governance	5.40	Strong
Sustainability duty on Corporations	3.89	Moderate
Diversity and Inclusion	1.17	Weak
Insolvency and Restructuring	4.47	Developed
Mergers and Acquisitions	5.44	Strong

Component	Score	Category
Commercial Registration	3.80	Moderate
Financial Access and Incentives	2.24	Basic
Shareholders/Investors rights and Corporate Governance	3.68	Moderate
Sustainability duty on Corporations	0.00	Very Weak
Diversity and Inclusion	0.00	Very Weak
Insolvency and Restructuring	2.80	Basic
Mergers and Acquisitions	3.73	Moderate



Corporate Law – Developments

We are Highlighting some of the Key Developments in the Arab Region:

- In UAE, through Cabinet Resolution (No. 55/2021) Foreign ownership restrictions are still applied to certain activities and sectors
- In Saudi Arabia, through Cabinet Resolution (No. 376/2020), an SME development fund was established
- In Bahrain, the Central Bank issued a circular (No. 329/2022) stating that the board of directors in listed companies must take into consideration the representation of men and women in the establishment of the board
- In Palestine, Article 172 of Corporate Law (No. 42/2021) mentioned that the board of directors is established with the representation of both Men and Women.





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Thank You

