

# ARAB BUSINESS LEGISLATIVE FRAMEWORKS

## APPENDIX A



Shared Prosperity **Dignified Life**



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This Appendix presents the methodology and the detailed structure of the Arab Business Legislative Framework and delivers comprehensive information about all of the main indicators, main headings and the sub-categories. It also presents the scoring continuum and the definition of each class within the ranking scale in the Framework.

The Arab Business Legislative Framework Report is based on an assessment system of the current business regulatory climate in the region, looking at the legislation related to competition; anti-corruption; foreign direct investment (FDI); and consumer protection. The assessment system integrated a selection of best practices into tool design in order to ensure that the outputs are informative, objective, take into account context-specific issues and can be easily utilized by stakeholders.

Based on this principle, the research included the following four phases:

- Collate available information from relevant ministries, international development agencies and academic institutions for each topic and each individual country; (510 documents were compiled -346 in Arabic, 126 in English and 38 in French- related to the 22 Arab countries found in publicly available sources);
- Assemble a repository of key laws, regulations and policies to be used to populate the repository;
- Create key indicators of the evaluation matrix pertaining to the main legislative components in accordance with international standards;
- Filter and correlate the information through in-depth key informant interviews (KIIs) with officials, administrators and relevant stakeholders in each country.

During the inception phase, an adaptive background review was conducted, which synthesized publicly available evidence from existing literature and studies. Indicators that were relied on included international competition guidelines, anti-corruption best practices, FDI attraction checklists, the literature on the general legislative landscape within the Arab region, consumer protection benchmarks, and local development priorities in the context of achieving the Sustainable Development Goals.

The indicators were primarily based on the guidelines developed by the Organisation for Economic Co-operation and Development (OECD) and the United Nations (UN), which form internationally recognized benchmarks for business regulations across the world. As the project is thematically divided into four themes (Competition; Anti-Corruption; FDI; and Consumer Protection), the indicators were similarly divided and organized along those lines.



### Competition

Indicators were constructed (refer to table 1) to assess the competition legislative frameworks primarily based on the OECD's 2013 working paper on competition law and policies (CLP) indicators, called "New Indicators of Competition Law and Policy in 2013 for OECD and non-OECD Countries." The CLP indicators provide a model to analyze and score, along with two layers that take into account the legislation's scope of action, policy on anti-competitive behaviours, probity of investigation, and advocacy.<sup>1</sup>

For added nuance, the legislations were compared with two internationally recognized agreements regarding best practices of competition law: the United Nations Conference on Trade and Development (UNCTAD) Model Law on Competition and The United Nations Set of Principles on Competition. The former agreement provides an internationally agreed-upon guideline in terms of which articles, measures, definitions and frameworks should ideally exist within the competition law. The latter is a multilateral agreement on

<sup>1</sup> New Indicators of Competition Law and Policy in 2013 for OECD and non-OECD Countries," OECD Economics Department .Working Papers, pp. 10-17: <https://doi.org/10.1787/5k3ttg4r657h-en>

competition policy, made in 1980 and reviewed annually, that “provides a set of equitable rules for the control of anti-competitive practices, recognizes the development

dimension of competition law and policy, and provides a framework for international operation and exchange of best practices”.<sup>2</sup>

**TABLE 1**  
COMPETITION INDICATORS, SOURCES AND COMMENTS

INDICATOR	ENGLISH SOURCE	ARABIC SOURCE	COMMENTS
<i>OECD New Indicators on Competition Law and Policy ((2013</i>	Click Link	N/A	Indicators as designed by OECD experts that should “measure the strength and scope of competition regimes”. Accordingly, the indicators here “cover areas for which there is a broad consensus among member countries on what constitutes ‘good’ practice for competition regimes”.
<i>UNCTAD Model Law on Competition</i>	Click Link	Click Link	A model law template to provide a comparison with design, structure and language of legislation related to competition.
<i>United Nations Set of Principles on Competition</i>	Click Link	N/A	International agreement on what the set of principles are in relation to competition.

<sup>2</sup> The United Nations Set of Principles on Competition website, UNCTAD:  
<https://unctad.org/en/Pages/DITC/CompetitionLaw/The-United-Nations-Set-of-Principles-on-Competition.aspx>.



## Anti-Corruption

To inform the anti-corruption evaluation matrix and gap analysis questionnaire, three sources were used.

Firstly, the United Nations Development Programme's (UNDP) "[User's Guide to Measuring Corruption and Anti-Corruption](#)" (2015 edition) provided a range of tools and general principles to consider when designing assessments on anti-corruption. A second source was the "[UN Anti-Corruption Toolkit \(3rd Edition\)](#)". The toolkit is part of a larger package of materials intended to provide information and resource materials for countries developing and implementing anti-corruption strategies at all levels, as well as for other elements of civil society with an interest in combating corruption."<sup>3</sup>

The third and final source was the UN Comprehensive Self-Assessment Checklist on the Implementation of the United Nations Convention against Corruption. The self-assessment checklist "is an innovative approach to gather information on the implementation of the Convention. Rather than using paper-based questionnaires, the United Nations Office on Drugs and Crime (UNODC) has developed a user-friendly computer-based application to assess compliance with the Convention."<sup>4</sup>

**TABLE 2**  
ANTI-CORRUPTION INDICATORS, SOURCES AND COMMENTS

INDICATOR	ENGLISH SOURCE	ARABIC SOURCE	COMMENTS
<i>UN Comprehensive Self-Assessment Checklist</i>	Click Link	Click Link	Checklist as designed by UN experts to conduct self-assessment on the implementation of the UN Convention against Corruption
<i>UNDP's User's Guide to Measuring Corruption and Anti-Corruption</i>	Click Link	N/A	UNDP's User's Guide to Measuring Corruption and Anti-Corruption provides approaches and templates to measure and evaluate anti-corruption initiatives, institutions, etc.
<i>UN Anti-Corruption Toolkit</i>	Click Link	Click Link	The 3rd edition of the UN Anti-Corruption Toolkit, particularly the sections related to measuring a legislation's quality and effectiveness, and Chapter VII on various monitoring and evaluation tools.

<sup>3</sup> "UN Anti-Corruption Toolkit," The Global Programme Against Corruption, 3rd Edition, 2004: [https://www.un.org/ruleoflaw/files/UN\\_Anti%20Corruption\\_Toolkit.pdf](https://www.un.org/ruleoflaw/files/UN_Anti%20Corruption_Toolkit.pdf).

<sup>4</sup> Comprehensive Self-Assessment Checklist on the Implementation of the United Nations Convention Against Corruption," UNODC: <https://www.unodc.org/unodc/en/corruption/self-assessment.html>.



## Foreign Direct Investment (FDI)

Standards for assessing FDI regulations and laws were based on the OECD FDI Regulatory Restrictiveness Index (FDI Index), updated in 2010, and shown in table 3 below. The FDI Index is used to measure statutory restrictions on foreign direct investment in 22 economic sectors across 69 countries. The

index considers four types of restrictions: foreign equity limitations; screening or approval mechanisms; restrictions on the employment of foreigners as key personnel; and operational restrictions, such as restrictions on branching, capital repatriation or land ownership.

**TABLE 3**  
FOREIGN DIRECT INVESTMENT (FDI) INDICATORS, SOURCES AND COMMENTS

INDICATOR	ENGLISH SOURCE	ARABIC SOURCE	COMMENTS
<i>OECD FDI Regulatory Restrictiveness Index</i>	Click Link	N/A	The FDI Regulatory Restrictiveness Index “measures statutory restrictions on foreign direct investments” by examining four main types of restrictions on FDI: screening or approval mechanisms; foreign equity limitations; restrictions on the employment of foreigners as key personnel; and operations restrictions.



## Consumer Protection

In assessing consumer protection legislation, two sources were used for the research, as shown in table 4 below. The United Nations Guidelines for Consumer Protection (UNGCP) offers a set of principles on the main characteristics for an effective consumer protection legislative framework, as well as enforcement institutions and redress systems. The guidelines were first adopted by the United Nations General Assembly in 1985, expanded in 1999, and then revised in 2015.

In addition, UNCTAD’s Manual on Consumer Protection (2017 edition) was used as a point of comparison against the UNGCP. UNCTAD’s manual, which is considered the first comprehensive international reference on consumer protection, was created to provide developing countries with options on strategies and tools to enhance their policies in this field.

**TABLE 4**  
CONSUMER PROTECTION INDICATORS, SOURCES AND COMMENTS

INDICATOR	ENGLISH SOURCE	ARABIC SOURCE	COMMENTS
<i>United Nations Guidelines on Consumer Protection</i>	Click Link	Click Link	The UNGCP are a set of principles for setting out the main characteristics of effective consumer protection legislation, enforcement institutions and redress systems, and for assisting interested Member States in formulating and enforcing domestic and regional laws, rules and regulations.
<i>UNCTAD’s Manual on Consumer Protection (2017 edition)</i>	Click Link	Click Link	The manual is a comprehensive international reference to policies in this field, providing practical tools to assist policymakers.



## Main Headings

After collating the initial information following the review, the four themes of competition, anti-corruption, FDI and consumer protection were subdivided into relevant fields of study. These “main headings” were derived from indicators highlighted above and tend to be the general essential components with each respective field under study.

### Competition

The score of this main heading, which displays the overall condition of the competition legislative framework in a country, is based on the average of the scores of the competition assessment components, including:

- Antitrust and Competition Laws;
- Anti-Dominance and Monopolization Laws;
- Cartels and Anti-Competitive Behaviour;
- International Trade Agreements;
- Liberalization and Competition Intervention in Regulated Sectors;
- Merger Regulatory Regime;
- Labour Protection.

*(The explanations and the gap analysis questions related to each component are in section D)*

### Foreign Direct Investment (FDI)

This score represents the overall average of the scores of each FDI component below, and reflects the situation regarding the FDI legislative framework in a country. The main components considered in this study are:

- Banking Regulations;
- Macroeconomic Policies;
- Investment Regulatory Framework;
- Incentivization Schemes;
- Bilateral Treaties;
- Tax Incentives.

*(The explanations and the gap analysis questions related to each component are in section D)*

### Anti-Corruption

The Anti-Corruption score is an average score of the selected components that illustrate the overall condition of the anti-corruption legislation in a country. The selected components are:

- Anti-Corruption and Integrity in the Public Sector;
- Anti-Bribery and Whistleblower Protection;
- Budgeting and Public Expenditure;
- Digital Government;
- Open Government and Transparency;
- Public Procurement Standards.

*(The explanations and the gap analysis questions related to each component are in section D)*

### Consumer Protection

This main heading aims to provide a general picture on the topic of consumer protection legislative framework in a country. Based on the international standards (found in Section A), four main components were taken into account to form the average for this main heading. These components are:

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

*(The explanations and the gap analysis questions related to each component are in section D)*

## Sub-categories

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The sub-categories were applied to every main heading without exception, creating continuity across all main headings. These seven sub-categories are:

### Laws/Decrees

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Existence of particular types of national legislations and/or regulations, royal decrees, federal laws, etc. as recommended by various indicators and international guidelines.

### Definitions

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Types of legal definitions within the legislation that are clear and concise on the subject, and match the requirements of definitions suggested in the UNCTAD model law.

### Institutions

---

Bodies and/or authorities that are highlighted within the legislation, including their responsibilities, jurisdiction, independence and powers, as recommended by the international guidelines.

### International Agreements

---

Regional and/or international conventions, commitments, treaties or trade agreements that are noted to be enforced or complemented by national legislation.

### Enforcement Mechanisms

---

Modes of enforcement, whether positive or negative; i.e. incentives, subsidies, fines, prison sentences or complaint mechanisms outlined by legislation and match the recommendations and guidelines of internationally recognized agreements.

### Exemptions

---

If certain sectors or components within a sector are exempted from the legislation, and their implementation and/or exemptions appear within the legislation.

### Accessibility and/or Transparency

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Noting how the legislation is itself accessible, and what modes of transparency and accessibility mechanisms are in place regarding the respective field.

The scoring continuum was based on the assumption that the international indicators and model law templates are considered 'very strong'. Therefore, the questions were crafted to inquire whether there was such legislation, and if the legislation had particular articles, provided definitions and indicated the institutions, enforcement mechanisms, and other essential regulatory infrastructures, as well as exemptions international agreement responsibilities and modes for accountability and redress, and if the legislation and its enforcement infrastructures were accessible.

The questions solicited binary responses (Yes, No, or Not Available [N/A]). The "N/A" means there was not enough information regarding this certain legislative framework in the research, or the experts who form KII did not give significant or clear information about it. Generally, answers with a "Yes" were treated as a score of one, while "No" received a score of zero. In some cases, a positive response scored zero – for example, the existence of capital controls or certain types of exemptions equalled a score of zero. A descriptive score was used since the report aims to provide countries with a description of their legislative frameworks to compare with the "very strong" international standards, and not to compare with each other. The detailed scores of each country can be found in appendix C (Country Profiles).

As noted in table 5 below, the higher the percentage, the closer a respective country's legislative framework is to what international guidelines advise.

**TABLE 5**  
SCORING CONTINUUM

SCORE	CAPACITY/ PERFORMANCE LEVEL	EXPLANATION
0	No Score	<p>The "No Score" classification appears in case there is no law. This means that the legislative framework does not exist.</p> <p>Having this "No Score" on sub-category "Laws/Decrees", for example, means that the country has not adopted or does not have the law.</p> <p>The "No Score" classification will be shown as blank.</p>
0 to 0.99	Very Weak	<p>The "Very Weak" classification is for the lowest scores within the scoring continuum (below 1). This score is for legislative frameworks that are super weak and very close to non-existing, or where there are no defined laws in the specified category. It mainly indicates that the legislation with this score barely exists and is far from very strong international standards.</p> <p>Having this score on the "Exemptions" sub-category, for example, indicates that the country has many exemptions from the law, and it does not match international standards.</p>
1 to 1.99	Weak	<p>The legislative framework is weak and very far from very strong international standards. However, the "Weak" classification is the second-lowest score (between 1 and 1.99). It mainly indicates that the categories and sub-categories with this score are not effective, or exist but below the basic level.</p>

2 to 2.99	Basic	The legislative framework in a country with this score is considered to be basic or sub-par compared to general international standards. The legislation categories and sub-categories with this score have the minimum structure or performance in comparison to very strong standards. For example, a country's "Basic" score on enforcement indicates that the country's law enforcement is at a minimum.
3 to 3.99	Moderate	The legislative framework is at a developing stage in comparison to very strong international standards. The "Moderate" score indicates that the categories or sub-categories condition is in the middle between "Basic" and "Developed".
4 to 4.99	Developed	The "Developed" classification indicates that much of the legislative frameworks are in a developed stage, near the strong and very strong standards recommended by international measurements.
5 to 5.99	Strong	Legislative frameworks that score "Strong" are the closest to the very strong standards as recommended by international guidelines and indicators. It indicates that the status of a main category or subcategory is strong.
6 to 7	Very Strong	<p>The "Very Strong" score specifies that the legislative frameworks match or are close to international guidelines and indicators.</p> <p>If a country has the "Very Strong" status on the main category, for example, "Merger Regulatory Regime", this indicates that the merger regulatory regime is identical to the international indicators and model law templates.</p>

## Section D | Gap Analysis Questionnaire

This section aims to explain and present the gap analysis questionnaire, which was formulated to illuminate any legislative gaps in order to compare legislative business frameworks between states in the region, and the states' position within the international standards.

While by no means comprehensive, the selection of questions in the questionnaire was derived from the indicators highlighted in section A. By using a basket of indicators, the aim was to capture a wide snapshot of the four legislative landscapes under study. A total of 156 questions were formulated to guide the assessment and analysis of the legislation: 55 questions were written out for Competition; 30 for FDI; 37 for Anti-Corruption; and 34 questions for Consumer Protection. Each category also had its respective main headings covering the basic components of each of the themes and structured by the sub-categories for continuity.

The questions solicited binary responses (Yes, No, or Not Available [N/A]), with further optional follow-up questions if possible to elaborate on the answers. Moreover, working with a binary response model allowed the creation of a simple scoring continuum (Section C) that clearly illustrates comparisons between the countries utilizing the assortment of indicators.



### Competition

#### Antitrust and Competition Laws

Question	Sub categories
(1) Are there national legislations that govern competition?	Laws/Decrees
(2) Are there regional and/or international agreements in relation to competition?	International Agreements
(3) Are there legislative articles within any of the existent legislation that define competition and related concepts?	Definitions
(4) Are there legislative articles within any of the existent legislation that define "anti-competitive behaviour" and related concepts such as "collusion", "crowding out", and/or other similar practices?	Definitions
(5) Are there national, regional, and/or international authorities/institutions to <b>oversee</b> the implementation and enforcement of antitrust and competition laws?	Institutions
(6) Are there legislative articles that emphasize the autonomy of these institutions to oversee the implementation and enforcement of antitrust and <b>competition laws</b> ?	Institutions
(7) Are the existent national, regional and/or international legislations clear on defining enforcement goals of competition laws?	Enforcement
(8) Are there existent national, regional and/or international legislation related to enforcement mechanisms on competition?	International Agreements
(9) Are the current national or regional legislation compatible (not in conflict) with other existing legislation?	International Agreements
(10) Are there exemptions in any existent national, regional and/or international legislation governing competition?	Exemptions
(11) Are there special or concessional regional/international agreements not covered by existent legislation?	International Agreements

## Anti-Dominance and Monopolization Laws

Question	Sub categories
(12) Are there national legislation that prohibits and/or regulates monopolies?	Laws/Decrees
(13) Are there regional and international legislations or trade agreements that prohibit and/or regulate monopolies?	International Agreements
(14) Are “monopolies” clearly defined in the existent legislation?	Definitions
(15) Are “dominance” practices clearly defined in the existent legislation?	Definitions
(16) Are there clear national, regional or international regulatory bodies/authorities to monitor/assess incidents of monopolization and incidents of dominance?	Institutions
(17) Are there articles that emphasize autonomy and independence of regulatory bodies/ authorities enforcing accountability?	Accessibility/Transparency
(18) Is the judiciary involved when violations related to anti-dominance and/or monopolization practices occur?	Accessibility/Transparency
(19) Are there clear articles outlining punitive measures when monopolies or dominance practices occur?	Enforcement
(20) Are there exemptions within existing legislations related to anti-dominance and monopolization laws?	Exemptions
(21) Are there exemptions in any existent national, regional, and/or international legislation governing competition?	Exemptions
(22) Are there special or concessional regional/international agreements not covered by existent legislation?	International Agreements

## Cartels and Anti-Competitive Agreements

Question	Sub categories
(23) Are there national legislations that prohibit and/or regulate cartels?	Laws/Decrees
(24) Are there regulatory bodies/authorities to enforce accountability if and when incidents of anti-competitive behaviour occur?	Institutions
(25) Are there articles that emphasize autonomy and independence of regulatory bodies/ authorities, enforcing accountability of anti-competitive behaviour?	Accessibility/Transparency
(26) Are there regional and international agreements that prohibit and/or regulate cartels?	International Agreements
(27) Are there legislative articles that define “cartels” and “anti-competitive agreements” with any of the existent legislations?	Definitions
(28) Are there institutions/authorities and/or other relevant bodies to monitor/assess the practices of existent cartels?	Institutions
(29) Are there sectors exempt from agreements/regulations related to cartels and other anti-competitive agreements?	Exemptions

## Competition Enforcement Practices

Question	Sub categories
(30) Are there national legislation that outline enforcement mechanisms for competition?	Laws/Decrees
(31) Are sanctions (i.e. prison terms, fines, etc.) incorporated as part of tackling violations of competition enforcement practices?	Enforcement
(32) Are there regional and/or international agreements that outline enforcement mechanisms for competition?	International Agreements
(33) Are there any bodies/authorities that are granted powers to enforce competition?	Institutions
(34) Are there articles that emphasize autonomy and independence of regulatory bodies/ authorities enforcing competition?	Accessibility/Transparency
(35) Are any of the competition-guiding goals or policies in compliance (not in conflict) with other national, regional or international commitments?	International Agreements
(36) Do competition enforcement practices include accountability/punishment for non-competitive behaviour?	Enforcement
(37) Are there any exemptions to competition enforcement practices?	Exemptions
(38) Are the competitive enforcement practices accessible to producers, consumers and other stakeholders? (i.e. website, office, pamphlet, newspaper, etc.)	Accessibility/Transparency

## International Trade Agreements

Question	Sub categories
(39) Are there any international trade agreements that influence/shape competition practices within the respective state?	International Agreements
(40) Are any international trade agreements in compliance (not in conflict) with local or regional legislation and/or economic needs?	International Agreements
(41) Are there clear and effective mechanisms to tackle violations or disputes arising within an international trade agreement?	Enforcement
(42) Are policies related to the subsidization of local production conflicting with international trade agreement commitments?	International Agreements?
(43) Are there any exemptions within international trade agreements regarding specific national sectors or institutions?	Exemptions

## Liberalization and Competition Intervention in Regulated Sectors

Question	Sub categories
(44) Are there any authorities/institutions to monitor, assess and/or enforce the process of liberalization in a regulated sector?	Institutions
(45) Are any regulated sectors exempted from liberalization policies?	Exemptions

## Merger Regulatory Regime

Question	Sub categories
(46) Are there national legislation related to mergers and regulation of mergers?	Laws/Decrees
(47) Are there any regulatory bodies/authorities authorized to assess and approve mergers?	Institutions
(48) Are any existent legislation clear and concise in defining the criteria for approving mergers when they occur?	Definitions
(49) Are there enforcement mechanisms (i.e. law enforcement) in cases in which illegal mergers occur?	Enforcement
(50) Do any of the existent legislation related to regulatory mergers take into account effects on prices, employment, exports, investment and international competitiveness as a result of a merger?	Definitions
(51) Are merger regulatory regime regulations accessible for different stakeholders?	Accessibility/Transparency

## Labour Protection

Question	Sub categories
(52) Do any regulations/legislation related to competition include basic protection/rights of the labour market within the state?	Definitions
(53) Do any mechanisms include authorities/institutions related to the labour market in drafting and implementing any legislation/regulation related to competition? (e.g., Ministry of Labour, trade unions..etc).	Institutions
(54) Are there legislations/mechanisms to ensure ease of travel for labourers within the state?	Laws/Decrees
(55) Are there agreements/mechanisms to ensure ease of travel for labourers abroad?	International Agreements
(56) Are there institutions/authorities available for labourers to pursue recourse related to labour violations?	Institutions
(57) Are there any bodies/authorities that are granted powers to enforce labour protection within competition? (e.g. unions, labour rights organizations, ILO).	Institutions



### Banking Regulations

Question	Sub categories
(1) Are there national legislations that regulate the banking sector?	Laws/Decrees
(2) Are there forms of capital control and other restrictions towards capital liquidity within the banking sector?	Laws/Decrees
(3) Are there any authorities/institutions to monitor, assess and enforce FDI inclusion in the banking sector? (e.g., chamber of commerce, chamber of banks, a central bank).	Institutions

### Macroeconomic Policies

Question	Sub categories
(4) Is there a national strategy and/or action plan to promote FDI?	Accessibility/Transparency
(5) Are there specific market competition policies/legislations that encourage FDIs?	Laws/Decrees
(6) Are there preferential trade agreements that promote FDI?	International Agreements
(7) Are there education and labour development policies used to attract and maintain FDIs?	Laws/Decrees
(8) Are there legislation/policies to promote exports within FDI agreements?	Laws/Decrees
(9) Are you part of international agreements that promote and/or regulate FDI?	International Agreements
(10) Are there clear criteria within legislation or policies that evaluate the opportunity costs, effectiveness and efficiency of FDI strategies?	Definitions
(11) Are there any exceptions related to FDI promotion?	Exemptions
(12) Are there enforcement mechanisms in relation to FDI promotion?	Enforcement
(13) Are FDI incentive processes open to scrutiny by civil society, parliament and policymakers?	Accessibility/Transparency

## Investment Regulatory Framework

Question	Sub categories
(14) Are there any foreign equity restrictions, screening and prior approval requirements, or other restrictions on foreign enterprises operations?	Accessibility/Transparency
(15) Are there clear objectives and criteria for FDI regulations or incentives for foreign investors?	Definitions
(16) Is there any monitoring body/institution to enforce or uphold regulatory policies related to investors?	Institutions
(17) Are there market restrictions on FDI (e.g. FDI cannot enter the banking sector in X country)?	Accessibility/Transparency
(18) Are there any social and labour market-related requirements imposed on FDIs?	Enforcement
(19) Are there any environmental requirements imposed on FDIs? (e.g., climate change, environmental protection).	Enforcement
(20) Are there enforcement mechanisms related to foreign investment?	Enforcement

## Investment Regulatory Framework

Question	Sub categories
(21) Are incentive schemes defined in pro-FDI legislation?	Definitions
(22) Are there institutions/bodies/authorities authorized to uphold and implement incentivization schemes?	Institutions
(23) Are long-term costs incorporated within procedures for FDI incentivization schemes?	Definitions
(24) Are there clear time-profiles in terms of incentivization schemes?	Definitions
(25) Is there a cost-benefit analysis outlined in policy procedures or legislations for incentivization schemes?	Definitions

## Bilateral Treaties

Question	Sub categories
(26) Are there regulations/legislation governing bilateral agreements concerning FDI?	Laws/Decrees
(27) Are there regulations/legislation that ensure enforcement of bilateral agreements?	Laws/Decrees
(28) Are there any authorities/institutions responsible for the enforcement of bilateral agreements?	Institutions
(29) Are current bilateral treaties complementary to national development goals?	International Agreements
(30) Is the precedence of one regime (international or national) over the other clearly established?	Definitions



## Anti-Corruption

### Anti-Corruption and Integrity in the Public Sector

Question	Sub categories
(1) Are there national legislation related to corruption within the public sector?	Laws/Decrees
(2) Do any of the national legislations provide definitions for “corruption” and/or other similar practices?	Definitions
(3) Are there regional or international arguments related to corruption within the public sector?	International Agreements
(4) Are there enforcement mechanisms in tackling cases of corruption? (i.e. national, regional and/or international).	Enforcement
(5) Are there institutions/authorities authorized by legislation to assess and monitor corruption practices within the public sector?	Institutions
(6) Are there clear punitive mechanisms to tackle corruption in the public sector?	Enforcement
(7) Are measures to prevent bid-rigging, collusion or market-sharing agreements of future contracts included within anti-corruption legislation for the public sector?	Enforcement
(8) Are there exemptions within anti-corruption legislation?	Exemptions

### Anti-Bribery and Whistleblower Laws

Question	Sub categories
(9) Are there national legislation related to anti-bribery?	Laws/Decrees
(10) Does the legislation clearly define “bribery” and other similar practices?	Definitions
(11) Does the legislation outline national criteria for assessing the likelihood and impact of bribery cases?	Definitions
(12) Are there clear and systematic procedures for identifying and monitoring actions related to bribery?	Accessibility/Transparency
(13) Are there regional and/or international agreements that limit anti-bribery practices?	International Agreements
(14) Are there specific authorities/institutions authorized by legislation to assess and tackle cases of bribery?	Institutions
(15) Are there clear punitive measures and/or other forms of accountability when cases of bribery are discovered?	Enforcement
(16) Are there national programmes or policies that encourage anti-bribery behaviour?	Laws/Decrees
(17) Are there national legislation that encourages and/or protects whistleblowers?	Laws/Decrees
(18) Are there national institutions/agencies/bodies authorized to handle whistleblowing claims?	Institutions
(19) Are there any exemptions within anti-bribery legislation?	Exemptions
(20) Are institutions/agencies/bodies handling whistleblowing claims accessible to different stakeholders?	Institutions

## Budgeting and Public Expenditures

Question	Sub categories
(21) Are there standards within the legislation that outline assessing and monitoring budgeting and public expenditures?	Definitions
(22) Is the information on budgeting and public expenditures transparent and accessible to various stakeholders?	Accessibility/Transparency

## Digital Government

Question	Sub categories
(23) Are there existing legislation/regimes to ensure privacy and data security protection?	Laws/Decrees
(24) Is data used by the government accessible to different stakeholders?	Accessibility/Transparency

## Open Government and Transparency

Question	Sub categories
(25) Are there national legislation/regulation that provide a clear definition of "transparency"?	Definitions
(26) Do any of the regional and/or international agreements include provisions for encouraging transparency?	Accessibility/Transparency
(27) Are there any state or non-state institutions/bodies authorized to oversee and assess transparency?	Institutions
(28) Are there any enforcement mechanisms related to non-transparency?	Enforcement

## Public Procurement Standards

Question	Sub categories
(29) Are there national legislation related to standards for public procurement?	Laws/Decrees
(30) Does the legislation identify authorities/bodies in charge of assessing/enforcing public procurement?	Institutions
(31) Does the legislation outline enforcement mechanisms for public procurement standards?	Enforcement
(32) Does the legislation account for an administrative and/or judicial review for procurement?	Enforcement
(33) Are national anti-corruption agencies/institutions included in assessing public procurement standards?	Institutions
(34) By law, are non-government institutions (ie. civil society) included in assessing public procurement practices?	Institutions
(35) Are there training institutions or programmes related to public procurement standards?	Accessibility/Transparency
(36) Are practices of public procurement transparent and accessible to various stakeholders?	Accessibility/Transparency
(37) Are there any exemptions within the public procurement standards?	Exemptions



## Consumer Protection

### Physical Safety Regulations

Question	Sub categories
(1) Does national legislation outline physical safety regulations?	Definitions
(2) Are there regional and/or international agreements that outline physical safety regulations?	International Agreements
(3) Are there institutions/bodies authorized to assess and monitor compliance with physical safety regulations?	Institutions
(4) Are there national coordination policies to ensure compliance with physical safety regulations?	Definitions
(5) Are there regional and/or international coordination policies to ensure compliance with physical safety regulations?	International Agreements
(6) Are there enforcement mechanisms (i.e. law enforcement) related to ensuring physical safety regulations?	Enforcement
(7) Are there any exemptions to any existent physical safety or consumer protection regulations?	Exemptions
(8) Are physical safety regulations accessible to various stakeholders?	Accessibility/Transparency

### Protection of Consumers' Economic Interests

Question	Sub categories
(9) Does national legislation provide a clear legal definition for "consumer"?	Definitions
(10) Does national legislation clearly define the rights and protections afforded to consumers?	Definitions
(11) Is there regional and/or international agreement that outlines and protects the rights of consumers?	International Agreements
(12) Are there enforcement mechanisms related to the protection of consumers' economic interests?	Enforcement
(13) Are there institutions/bodies authorized to provide protection of a consumer's economic interest?	Institutions
(14) Are any institutions/services related to the protection of consumers' economic interest accessible?	Institutions

## Measures Enabling Consumers to Obtain Redress

Question	Sub categories
(15) Are there regional/international agreements that provide alternative measures to enable consumers to obtain redress?	International Agreements
(16) Are there any specialized complaint procedures within government regulators or ombudsmen?	Enforcement
(17) Is law enforcement included as a means to enable consumers to obtain redress?	Enforcement
(18) Are there any exemptions towards enabling consumers to obtain redress?	Exemptions
(19) Are public interest advocacy litigation tools, like class-action suits, available?	Accessibility/Transparency
(20) Are mechanisms for legal recourse accessible to consumers seeking any redress over violations of standards for safety and quality of goods and services?	Accessibility/Transparency
(21) Are local, national, regional or international consumer advocacy groups allowed to legally operate in the country?	Accessibility/Transparency
(22) Are local, national, regional or international consumer advocacy groups allowed to initiate litigation on behalf of consumers?	Accessibility/Transparency

## Promotion of Sustainable Consumption

Question	Sub categories
(23) Are there national legislation/provisions related to environment protection/biodiversity/traditional knowledge?	Laws/Decrees
(24) Are there national legislation/provisions related to the promotion and/or enforcement of "sustainable consumption" practices?	Laws/Decrees
(25) Are there national criteria for sustainable consumption performance standards?	Accessibility/Transparency
(26) Are there institutions/bodies authorized to monitor and assess sustainable consumption practices?	Institutions
(27) Are there enforcement mechanisms for the promotion of sustainable consumption?	Enforcement
(28) Are taxes and/or charges used as a means to influence negative consumer behaviour?	Enforcement
(29) Are subsidies and incentive schemes used to encourage positive and sustainable consumer behaviour?	Enforcement
(30) Are "voluntary labelling" practices used to encourage sustainable consumption standards?	Enforcement
(31) Are "green" public procurement policies/mechanisms (i.e. staff training) included within government purchase practices?	Definitions

The research team encountered minor limitations arising from a number of factors. As shown in table 10, some of these factors arose from geopolitical and other worldwide events that placed limitations on the research team's ability to collect information and conduct the study as previously intended.

### Methodological Limitations

Limitations & Effects	Mitigation Measures
<p><b>Extraordinary Circumstances</b></p> <p>Some countries under study are experiencing what can be termed as "Extraordinary Circumstances" such as conflict, sanctions, instability and/or an inability for the governments (therefore legislation) to project themselves. This is especially apparent for countries explored in this research work like Iraq, Lebanon, Libya, Palestine, Qatar, Sudan and Syrian Arab Republic.</p>	<p>In this study, the team took into account countries facing these difficult circumstances and acknowledged that this plays a considerable role in largely weakening a legislative and regulatory framework within a country.</p>
<p><b>Reduced KII sample size</b></p> <p>The initially set sample size of the KII was a total of 72 individuals who were supposed to be identified through meetings in the inception phase, starting from the basic ESCWA member countries focal points.</p> <p>However, due to logistical and resource challenges related to the COVID-19 pandemic, delays in receiving contact information and slow response times, KII participants totalled 25 - or around 35 per cent of the requested target number.</p>	<p>Beside these logistical challenges, the team could not meet in person with each expert. Instead, the team used phone calls to reach the interviewees and deployed snowball sampling when selecting experts.</p>
<p><b>Incomplete available information</b></p> <p>Since the team relied mainly on public sources to find and analyze legislations, this left a small margin of error in terms of legislation, decrees, institutions and mechanisms that exist but are not easily accessible or found. Moreover, there remain limitations posed by the knowledge of experts who were under pressure to respond quickly to the team's questions.</p>	<p>Where an expert lacked knowledge of a particular detail of the law, the team took measures to find another expert who could shed light on the missing data. This was achieved through snowball sampling.</p>
<p><b>Questionnaire limits</b></p> <p>At first, the team's questionnaire contained almost 200 questions. For ease of deployment, given the constraints mentioned above, and to ensure more responses during the interview phase, the number of questions was reduced by around a quarter.</p>	<p>Care was taken when editing the questionnaire to include the main aspects of the gap analysis.</p>
<p><b>Definition of Arab States</b></p> <p>Algeria, Comoros, Djibouti and Somalia were not originally included in this study. They were added at a later stage, and the team has been unable to collect sufficient data for these four countries.</p>	<p>The team collected as much data as possible with regards to these four countries, based mainly on desk review.</p>

