

# Attracting and Retaining SMEs

## **A Comprehensive Guide to Leveraging ICC Services**

Empowering ICC national committees  
to support small- and mid-sized enterprises

By Max Burger-Scheidlin, ICC Austria



This guide is a manual for ICC national committees (NCs) which focuses on services for small- and mid-sized enterprises (SMEs), particularly in smaller countries. The guide provides insights and practical advice on how to attract and engage SMEs more consistently in ICC work, by offering them services that they will find valuable. It is a must-read for anyone looking to strengthen their NC and better serve the needs of SMEs.

The views expressed are those of the author.

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# Introduction

How can we attract SMEs and engage them more consistently in ICC work? What can we offer that they will find valuable?

These are some of the questions voiced by NCs, especially in countries where the business community is primarily made up of SMEs. Unlike multinational companies, which may be attracted by ICC's policy work and the opportunity to shape international trade rules and practices by participating in ICC's international commissions, SMEs have more immediate needs.

An NC will only be truly successful in attracting SMEs if the NC can offer a full circle of activities focused on SMEs' needs for running their business. To do this, NCs must shift their focus from just selling a specific ICC product or service to catering more broadly to the needs of international traders.

ICC's global policy work can be made more relevant to SMEs by adapting it to the local context and addressing domestic issues of concern to the local business community. This guide, however, focuses mainly on practical advisory and training services for SMEs in the area of international trade.

## **Standard ICC services for an SME may include:**

- Selling books and other practical ICC products and tools such as the Incoterms<sup>®</sup> rules and ICC Model Contracts;
- Offering seminars on how to use these ICC products, often by combining them, for example, in an export contract.

In the past, most NCs focused on promoting and selling ICC products (e.g. Incoterms<sup>®</sup> rules). However, an SME needs much more than explanations of isolated Incoterms<sup>®</sup> rules. An SME's priority is the successful sale or purchasing contract in its totality, which, among many other points, contains Incoterms<sup>®</sup> rules.

NCs must focus on the mind-set of an international trader – not solely on specific ICC products and services.

## **NCs who go beyond these standard services will be even more successful by:**

- Providing practical expert advice in actual situations faced by SMEs engaged in import/export. By offering SMEs the possibility to contact an ICC expert to discuss a concrete problem or a semi-finished contract and ask for help in solving the problem or finalising the contract, NCs can provide much fuller and more valuable services. NCs should however be aware of potential legal liability issues that could arise when providing legal or other professional advice, and verify national rules regarding the qualifications required for providing such advice.

# Understanding the SME landscape

SMEs, ranging from international traders to specialist manufacturers, are the largest users of ICC products and services globally. Despite their expertise in their unique products or services (many are technicians), they often overlook the broader commercial environment and the potential risks of, for example, poorly drafted contracts or upcoming regulation. Without in-house legal counsel, SMEs may hesitate to seek outside legal help due to cost concerns or lack of awareness.

SMEs often face unique challenges that differ from large corporations, including limited resources and a need for strong business connections. ICC's products and services provide SMEs with a fundamental legal framework, fulfilling a crucial need for thousands of companies worldwide. NCs can serve as a valuable partner by offering support through ICC's array of products and services tailored to SME needs. Recognising the pivotal role SMEs play in international business and the specific hurdles they encounter, is the first step in fostering a supportive environment.

## Develop the right competencies within your NC

To best help exporters and importers with their questions around ICC products and their application to actual business cases, the NC needs to be staffed with people who have experience in this area.

NCs that wish to focus on developing services for SMEs should have staff with the skills and experience in importing and exporting needed to be effective in working with SMEs. In countries where the main business audience is composed of SMEs, more NC revenue can be generated from seminars, in-house training and individual services and custom-tailored advice for SMEs than from membership and advocacy.

## Key ICC strengths and tools

When approaching SMEs, it is important to remember that ICC:

- **is a “standard-setter”** that crafts rules, standards and derivative products/services on topics such as standard contractual terms (Incoterms® rules), Letters of Credit (L/Cs), bank guarantees, Cash against documents (also called “Documentary collection,” based on URC 522 – ICC Uniform Rules for Collections), the ICC Advertising and Marketing Communications Code, e-UCP, etc.
- **defines legal terms** such as Force Majeure, Anti-Corruption Clause
- **provides tools** such as Model Contracts, ICC One Click SME Trade Toolkit
- **provides services**, for example, through the ICC International Court of Arbitration, ICC Commercial Crime Services, ICC World Chambers Federation

Properly and actively combined, ICC's hands-on products are a fantastic toolbox for SMEs to start to secure international business. These ICC tools provide NCs a solid basis to offer SMEs excellent services and help. Furthermore, they can be most effectively sold together and not just as stand-alone products. The One Click SME Trade Toolkit also provides many tools for free. When combined, each tool plays a role in an export contract. However, ICC's products do not cover all the legal needs of SMEs.

**Opportunity:** SMEs need to adapt ICC tools to their specific sector or industry and to the respective countries where they do business. To address these needs, SMEs often look for help from NCs to fill the gaps between these ICC products and specific situations, for example, in order to have a practical draft contract that is adapted to the individual needs of a client.

Creating hands-on additional value for an SME is at the core of a successful membership strategy for the national committees.

## Attracting SMEs and building trust

### Building trust with SMEs

Trust is the foundation of any lasting business relationship. For NCs, establishing trust with SMEs involves demonstrating a deep understanding of their needs and providing solutions that add tangible value. This includes:

- **Value:** Ensuring that the services offered are cost-effective and beneficial for SMEs
- **Reliability:** Consistently delivering on promises and providing dependable support
- **Transparency:** Being open about the benefits and limitations of ICC services

Many NCs are in countries with high levels of corruption (see Transparency International's "Corruption Perception Index" – rank 50 and above).

Corruption always favours one side to the detriment of another. High levels of corruption reduce the level of trust that companies – potential members – have in public and private institutions as well as business associations.

Before an NC in a country with high levels of corruption can be successful, it must gain trust, by building a reputation as being **strong, knowledgeable and neutral**. Without a good level of trust, few potential clients and members will come forward.

- If trust is not yet fully established, a company might come forward to buy an Incoterms® book from the NC or attend a seminar, however it will never discuss contractual details with this NC.
- Potential clients will ask for advice in actual – and perhaps delicate – cases only if trust has been established. They need to feel secure that information they share in a consultation with the NC will not be disclosed to competitors, for example.

There are tips throughout this guide on how NCs can become stronger, increase their influence and gain the trust of their business community.

### Practical steps for attracting SMEs

To effectively engage with SMEs, NCs are advised to:

- **Tailor communication:** Customise interactions to address the specific concerns and aspirations of SMEs in the local business community
- **Highlight benefits:** Clearly articulate how ICC's services can help SMEs overcome challenges and seize opportunities

- **Facilitate networking:** Create platforms for SMEs to connect with peers and larger entities, fostering a sense of community and collaboration

An NC should focus on specific factual and contractual issues relevant to its SMEs in addition to the standard ICC topics. These issues could include:

- Supply chain issues delivering goods to a neighbouring country
- Buying from one country and shipping to another
- Challenges with sanctions on a country in the region
- Transport constraints involved with the harbours
- Corruption and time delays at the borders

By combining a deep understanding of SMEs with a commitment to building trust, NCs can develop robust partnerships that drive business growth and contribute to a thriving international trade ecosystem. Trust, or lack of trust in institutions, is a big problem for NCs in some countries.

### **Working with limited budgets**

One of the challenges encountered while working with SMEs is their limited budgets for services offered by the ICC NC. SMEs are often hesitant to invest in membership and may expect immediate assistance without any associated costs.

On the other hand, NCs require financial resources to adequately compensate their staff and experts. Given the significant role of SMEs in the global economy, it is crucial to find ways to engage them as members of ICC.

### **How to overcome this deadlock?**

- One way to overcome the deadlock between SMEs and NCs is by providing SMEs with good advice and value-added services, perhaps initially for free or at very low cost. If SMEs receive good advice from an NC, true “value-add” today, enabling them to sign a profitable contract tomorrow, they will be ready to pay a fee and will gain trust in the NC. This can help to establish a mutually-beneficial relationship between SMEs and NCs, where SMEs receive the support they need to succeed, and NCs are able to generate income to support their operations.
- For example: ICC Austria currently receives 10 requests for help each day! The first consultations for new clients are done for free to gain trust and to show professionalism. From the third request on, ICC Austria strongly encourages the company to become a member.
- If the NC has built up its own local team of experts to help SMEs, companies will come back repeatedly — and eventually become a member.
- Build up a base of local experts drawing on active or retired members of your commissions, for example, who can help as needed.
- To attract SMEs, NCs should present themselves as competent and financially reasonable partners. Instead of demanding full membership immediately, NCs can offer a reduced membership fee for initial help and services. It should be made clear to SMEs that this reduced entry fee can only be used once or twice.

# Skills and sales strategies for SME engagement

NCs are at the forefront of engaging with SMEs, and the effectiveness of this engagement is largely dependent on the skills and approaches of their staff. This section outlines the competencies required of NC staff and the sales strategies they should employ to ensure successful SME engagement.

## Essential skills for NC staff

Ideally, NC staff must be well-versed in the intricacies of international trade and the specific challenges faced by SMEs. This includes:

- **Legal acumen:** Understanding legal terms such as Force Majeure and Anti-Corruption Clause is crucial for assisting SMEs in navigating international contracts.
- **Product knowledge:** Staff should have in-depth knowledge of ICC trade tools like Model Contracts, Incoterms® and L/Cs to offer SMEs the right solutions. All the ICC tools for SMEs are now grouped together in a gateway called [ICC One Click](#) available on the ICC website in several languages.
- **Inter-cultural competence:** Being aware of cultural nuances and business practices in different regions helps tailor services to SMEs' contexts.

Building the right level of competence to assist exporters and importers with their questions related to ICC products and services is essential.

## How to build expertise, with little budget

In practice, many NCs have only one or two staff, with little in-depth knowledge of legal issues and the intricacies of trade tools.

An NC needs to build its own local “dream team” of experts to help SMEs, but often without budget to compensate them. Based on ICC Austria’s experience, as a first step, NCs can approach recent retirees to help for a few hours per week, at nominal pay. This could include a retiree from a forwarding agent, a transport insurance company, a L/C expert from a bank etc. Recent retirees are often proud of their knowledge and still eager to use and present their skills. Also, retirees can help for some five years+ after their retirement.

With the help of retired experts, an NC can build up a long and credible list of services to offer SMEs. Combined with a strong emphasis on trust (and extended work on corruption prevention), this can help the NC become a regular advisor to SMEs.

Once the above are established, an NC can also use public relations and advertising to position itself as a strong and trustworthy partner for the local SME community.

## The sales approach

When selling ICC services to SMEs, NC staff should focus on how ICC's products can address the unique needs of SMEs. Key strategies include:

- **Consultative selling:** Engaging in discussions with SMEs to first understand their needs and then offering solutions that align with their business goals.
- **Value proposition:** Clearly communicating the value of ICC services, demonstrating how they can help SMEs mitigate risks and expand their international footprint.
- **Customisation:** Adapting services to fit the specific requirements of SMEs, ensuring that the offerings are relevant and practical.
- **Offering expertise** to fill the gaps and help SMEs adapt ICC products and services to their situation.

NCs play a crucial role in servicing small- and mid-sized companies. To effectively support these companies, NCs must be extremely service-minded and have a comprehensive understanding of all aspects of export and import contracts, particularly concerning key countries.

ICC has formulated rules on Incoterms® and other topics, but it is important to note that Incoterms® should not be viewed as a stand-alone product. Instead, they are part of a cross-border contract and involve trade finance, transport, insurance, customs clearance, tax, packaging and compliance issues. As such, NC managers must have a deep understanding of these topics to effectively support local companies.

## Maximising SME engagement with the Incoterms® rules

### Introduction to Incoterms® for SMEs

The Incoterms® rules, published by ICC, define the responsibilities of sellers and buyers for the delivery of goods under sales contracts. They are widely used in international trade transactions and can significantly impact the terms of a sale.

### Selling the Incoterms® publication

When selling an Incoterms publication to an SME, emphasise that ICC not only writes the rules but also has the expertise to apply them globally. Highlight that understanding and correctly using Incoterms can prevent costly misunderstandings and disputes. The manager of an SME will often need further advice on how to use the Incoterms rules in practice. By finding out about the special circumstances of the specific business opportunity faced by the manager and providing professional advice on what the practical consequences will be of using a particular Incoterm (for example, concerning logistics, customs clearance, or to enter a sale into their tax declaration), an NC can build a stronger commercial relationship with the SME than it would if it just sold a publication alone.

## Practical example: A step-by-step approach to selling an Incoterms® book

- Many export and import companies in your market will have heard about some Incoterms® rules, such as Ex Works, FOB or CIF. Many use them already, even if they use them in a “sub-optimal” context.
- Approach exporters and importers and inform them that your NC is selling Incoterms® books and that you can help them to apply these rules in practice to an individual contract. Make it clear to your audience that ICC is not only writing the Incoterms® rules, but also has the know-how to apply these rules in practice around the world. Mention that your partner NC in the country of the other contractual party can help, too.
- As a first reaction, an assistant to an export or import manager may contact your NC to ask about the Incoterms® book.
- **Important:** Ask this assistant for the name of the manager who needs this book.  
  
Why? Because this manager will often need further advice on how to use Incoterms® in practice. Speak to the manager. Ask him/her about the special circumstances of the concrete business opportunity he/she has at hand.
- Try to sell them a seminar on Incoterms®.
- Give advice on what the practical consequences will be of using a particular Incoterms® rule (for example, concerning logistics, customs clearance, or to enter a sale into their tax declaration). In general, provide custom-tailored advice for his/her project.
- In addition, as the Incoterms® rules are part of an export contract, try to sell a seminar on export contract formulation in general. Also, hold special seminars on trade with your main neighbouring countries. It is primarily SMEs who need this training.
- Often, SMEs are doing business with larger companies and have only moderate power in contract negotiations. A balanced ICC Model Contract might be exactly the type of tool they need to begin their negotiations. Use this opportunity to sell an ICC Model Contract. Provide the SME client with personal advice on how to adapt this Model Contract to his/her sector of activity and to the countries involved.
- As a contract must be financed and sellers are often hesitant to sell on “open account,” due to perceived risks, consider offering other ICC products and services:
  - Your exporter might want a book and seminar on how to use L/Cs, Cash against Documents (URC 522 – ICC Uniform Rules for Collections), or bank guarantees.
  - Your L/C expert might help to formulate the L/C or guarantee conditions.
- The goods must be shipped. Offer additional services to help. A seminar on international transport (depending on the geography - by ship, by rail, by truck, by air) might be advisable. Each mode of transport requires different packaging. Give your clients appropriate advice.
- Special target markets might have special local regulations to be observed. For example, many Austrian companies sell to the US. ICC Austria offers specialised seminars for Austrian companies who want to conclude export contracts with a US partner. The seminar focuses on what to observe, special laws and regulations, legal and practical pitfalls.

## Customised seminars and workshops

Offer a range of seminars and workshops tailored to different aspects of Incoterms® and their practical application in international trade:

### 1. Incoterms® overview seminar

- A comprehensive introduction to Incoterms® rules and their importance in international trade contracts

### 2. Sector-specific workshops

- Tailored sessions focusing on how Incoterms® apply to specific industries and sectors

### 3. Role-specific training

- Customised training for export managers, import managers, bankers, or accountants and tax professionals on the implications of Incoterms® in their respective roles (for example, Ex-works, DDP). These seminars necessarily overlap to some extent, however, a tax specialist will look at different aspects of an Incoterm than a L/C expert, or a forwarding agent, for example.

### 4. Geography-focused seminars

- Workshops addressing the use of the Incoterms® rules with key trading partners or regions, considering local regulations and practices, for example, contracts with neighbouring “low-risk” or “high-risk” countries. Which Incoterms® rule to use?

### 5. Incoterms® and risk management

- Sessions on how different Incoterms® rules can affect risk allocation and management in international transactions

### 6. Seminars on Incoterms® rules with variations

- Incoterms® rules for export managers or for import managers
- Incoterms® rules and air freight
- Incoterms® rules for road and rail transport

## Additional services

Beyond seminars, offer a suite of services that complement the understanding and use of the Incoterms® rules:

### 1. Contract drafting assistance

- Help SMEs draft contracts using [ICC Model Contracts](#) as a fair and balanced starting point. A balanced ICC Model Contract can help get negotiations off on the right track. How can they best formulate export contracts with neighbouring countries?
- As [ICC Model Contracts](#) have been formulated by ICC’s legal experts from many different countries (probably also by ICC experts in the seller’s and buyer’s country), these model contracts can be considered as neutral and balanced – and acceptable for both sides.

## **2. How to invest in a specific (neighbouring) country**

- What is needed to set up a small office or a small company specialising in technical after-sales services? Outline pitfalls to avoid when setting up an assembly line or factory.

## **3. Trade finance guidance**

- Provide resources on letters of credit, bank guarantees, and Cash against documents to finance international transactions securely. Your exporter might want a book and seminar on how to use L/Cs, Cash against documents (URC 522 – ICC Uniform Rules for Collections), or bank guarantees. Offer country-specific specialities, if needed.

## **4. Transport and logistics advice**

- Offer insights into the best practices for international shipping, including mode-specific considerations and packaging requirements.
- Differentiate between the main countries in your neighbourhood. Transport from Austria to the US will require different avenues than from Austria to Uzbekistan, for example.

## **5. Customs and compliance consulting**

- Assist with navigating customs procedures and ensuring compliance with international trade regulations.
- Cooperate with ICC's trade facilitation programme for special destinations.

## **6. Anti-corruption training**

- Conduct seminars on effective negotiation strategies and corruption avoidance to maintain integrity in international dealings. See details below.

## **7. Crime prevention – the services of ICC Commercial Crime Services (CCS), London**

- ICC CCS provides daily practical help in challenging situations.
  - Transport fraud
  - Ship hijacking
  - Manipulation of sealed containers
  - Fake bills of lading
  - Forged certificates of origin
  - Harbour fraud
  - Fraud with bank guarantees and letters of credit
  - Sanctions circumvention
  - Investment fraud
  - Fake loans
  - Counterfeiting of products

When faced with a fraud attack, SMEs are in a dire situation. Help from their local NC (with international back-up by [ICC Commercial Crime Services](#)) in such difficult situations can lead to a strong increase of trust in ICC and the NC.

By providing a comprehensive suite of seminars and services around the Incoterms rules, national committees can offer immense value to SMEs, helping them navigate international trade confidently and competently.

## Building and sustaining relationships

The goal of NC staff should be to build and sustain long-term relationships with SMEs. This involves:

- **Consistent support:** Providing ongoing assistance and updates on relevant ICC services and tools. Be sure to introduce SMEs to [One-Click, ICC's gateway to trade tools, solutions and guides to export and grow globally](#).
- **Feedback mechanism:** Encouraging SMEs to share their experiences and suggestions, fostering a collaborative environment.
- **Trust-building initiatives:** Organising events and workshops that bring SMEs together with industry experts and peers.

By equipping NC staff with the right skills and sales strategies, NCs can enhance their engagement with SMEs, leading to fruitful partnerships and a stronger international business ecosystem.

## Securing business integrity: strategies for dispute management and anti-corruption

In the realm of international trade, SMEs often face the dual challenges of dispute resolution and corruption. NCs play a pivotal role in equipping SMEs with the tools and knowledge to manage these challenges effectively. This section outlines the strategies for dispute avoidance, efficient settlement, and anti-corruption measures to ensure a secure and trustworthy business environment for SMEs.

Advise your clients (SMEs) to start with a balanced and fair ICC Model Contract from the outset and then adapt it to the legal and sectoral necessities of both parties. Trust between the parties will be maintained, and implementation of the contract will be swift and constructive. However, as there is no guarantee that a dispute will not arise in the future, you can help advise your clients on how to include the various ICC dispute settlement clauses (arbitration, mediation, expertise etc.) in their contracts. Detailed information and helpful videos on using ICC Model Contracts and Model Clauses can be found in the [Contracts section of ICC One Click](#).

## Proactive dispute avoidance

A contract that is implemented and executed in trust, without “hiccups” or disputes will maximise benefits for all parties.

Preventing disputes before they arise is the most effective strategy. NCs can guide SMEs in:

- **Contract clarity:** Ensuring contracts are clear, with well-defined terms and conditions, can prevent misunderstandings.
- **Risk assessment:** Helping SMEs conduct thorough risk assessments can identify potential areas of conflict early on.
- **Seminars and advice on dispute avoidance strategies:** What can be done one year before a contract is signed to reduce the likelihood of a dispute arising two to five years after a contract is signed? Contract negotiation strategies should include using the neutral/balanced ICC Model Contract as a starting point, rather than a contract written by one party's lawyer.

- **Relying on lawyers might lead to increased disputes – why?**
  - Lawyers naturally favour their own client when drafting a contract. When the draft is sent to the partner company in another country, that company's lawyer will then seek to modify the contract to better suit its client. This can lead to further negotiations and an extensive period of back-and-forth between lawyers that becomes costly for companies, until finally a compromise is reached. During the process, trust can be lost.
  - It is much better to start with a balanced and fair **ICC Model Contract** right at the beginning and just adapt it to the legal and sectoral necessities of both parties. The process will be quicker and trust will be preserved, leading to swift and constructive implementation of the contract.

## Efficient dispute settlement

Providing SMEs with training and education on ICC's dispute resolution services and tools will help when disputes arise.

- Advise your clients on how to include the various ICC dispute settlement clauses in their contracts (arbitration, mediation, expertise etc.). [The ICC Guide on Effective Conflict Management](#) is one helpful tool. It can also be accessed through the [ICC One Click](#) gateway.
- Hold seminars not only on how to include these clauses in contracts, but on which clause to use in which context.
- It is essential for an NC to highlight the type of cases where one or the other system of dispute resolution might have an advantage or disadvantage
  - e.g., it makes no sense to include an ICC arbitration clause in a local service contract, with a contract value below US\$20,000.
  - Into a bigger contract (e.g. US\$ 1 million and above) one needs to insert a solid arbitration clause.
  - In a very big contract (in which implementation might need several years – e.g., building factories, powerplants, highways, sewage systems, infrastructure etc.) an additional Dispute Board Clause is advisable.
  - In a contract for very special technical services and goods – an Expertise Clause might be advisable.
  - In disputes between banks concerning trade finance a DOCDEX proceeding might be the cheapest and most effective way to settle a dispute.
- Address specific local situations. If a contract involves very remote areas for example in Africa, local tribes may have some sort of traditional dispute settlement mechanism – involve them as consultants.

## Anti-corruption

In many countries, an ICC NC that actively works to fight corruption can gain strength, influence, importance, income and the trust of the local business community.

Fighting corruption is essential for creating a level playing field. NCs can support SMEs by:

## Raising awareness

- that corruption not only favours one party and distorts markets, corruption also reduces the quality of goods and services.
- that corruption drastically slows business – and in the long run impoverishes the bribe givers and bribe takers.
- that corrupt individuals can make more profit in the long term, at greatly reduced risk, by stopping corrupt practices such as bribes.
- that creating a culture of “corruption avoidance” is much more important and more efficient than “fighting corruption”.

Most NCs and local business associations have held anti-corruption seminars in the past. The key content of these seminars has often been focused on the laws and the criminal penalties for corruption.

Despite enormous legal efforts since 2003 to reduce corruption, the effectiveness of the “legal and compliance approach” in countries with wide-spread corruption is meagre, as criminal prosecution can often be bought off with a bribe.

A practical alternative with a much higher success rate is the new “commercial approach to anti-corruption,” which maintains that increased profit can be derived in the long-term, at reduced risk, without bribes, as reflected in the points listed above.

### “Commercial approach to anti-corruption” - How can NCs benefit?

NCs who strive to become the key promoters of these ideas can generate income for the NC, build trust in the NC and build up the NC’s influence and reputation.

NCs and companies will also benefit from the range of [ICC tools](#) to help companies act against corruption, including [tools targeted at SMEs](#).

### NCs can act and benefit in three ways:

#### 1. Income generation

- Offer trainings and seminars on avoiding corruption – focus on the **“Commercial approach to corruption avoidance”**
- Offer individual consultancy services:
  - Show businesses how to counter requests for a bribe, negotiation tactics and strategies, weak spots of bribe takers, delaying tactics (as bribe takers want to maximise income in minimum time).
  - Help members to counter an attack if they are asked to pay a bribe.
  - Demonstrate to corrupt individuals and organisations that they can attain higher incomes (at reduced risks) if they stop using corrupt practices.

#### 2. Build trust in the NC

- Offer anti-corruption advice as a strong neutral. Business people are usually reluctant to admit they have been requested to pay a bribe. Most think that this must be kept secret, however, this attitude strengthens the position of corrupt officials and politicians.

- Corrupt individuals will hesitate to ask for bribes if they know their strong NC offers individual consultations on corruption demands. Such individuals want to maximise their income in the shortest time, at the lowest possible risk to themselves.
- As the NC collects information in a multitude of cases, the weak spots of extortionists will become known.
- As the NC gains the trust of the business community as an honest consultant, business will also ask for help in different areas (e.g., international marketing).

### **3. Increase Influence of the NC by establishing a “Corruption Documentation Center” (CDC)**

– ICC Commercial Crime Services in London can help.

- The problem: if an official asks for a bribe, this is only done verbally. No written proof exists. However, proof is needed to enable criminal prosecution.
- ICC NCs operating a CDC will ask their business community to report cases. The CDC will collect these cases – until they think they have enough substantial material to convince a judge. Depending on circumstances, some 20 to 1,000 reports might be needed.
- The very existence of a CDC dramatically strengthens the power of an NC (indirectly) in relation to the government and public administration. The “corrupt in power” never know how much material the NC, the ICC Commercial Crime Services or a local chamber have already collected against them.

These activities go beyond just helping SMEs. They can strengthen the NC and increase the respect and trust held by the business community for the NC, bringing NCs more members, more participants in seminars and consulting services, and more revenues.

### **Summary: Fighting corruption**

- To generate income through bribes is easy. But to keep and enjoy the illegally gained assets over a lifetime is very difficult!
- The present “legal and compliance approach to anti-corruption” alone will not change the mindset of corrupt individuals in countries with endemic corruption. The presently corrupt resist, as giving up corrupt practices might deprive them of present income and fortunes.
- The corrupt are less likely to resist the new “commercial approach to anti-corruption”. Substantial progress can be made in the efforts to reduce corruption. The possibility of higher long-term income – at lower risk – without corruption will change the behavior of a few at first. Once the non-corrupt generate increased incomes, others will follow.

The possibility to generate higher income and profits will convince many!

The commercial approach to anti-corruption is not a “quick fix” to eradicate corruption.

However, it is a longer-term, solid, hands-on practical approach to change present mind-sets.

## Practical implementation of anti-corruption efforts and support for NCs

- **Seminars and services:** Every NC can organise seminars and services on anti-corruption. ICC Austria can provide the following help, if requested:
  - agenda and content
  - international speakers (online or travelling to your country)
  - support for developing local speakers over time
  - advice on setting up a local consultancy + Corruption Documentation Center
- **Transparency** is an essential part of building trust and deterring corruption – promote it!
- **Showcase success stories:** Highlight cases where anti-corruption and corruption prevention measures have led to successful outcomes. ICC Austria can help.
- **Collaborative efforts:** Work with governments and other organisations to promote fair business practices.

By implementing these strategies, NCs can help SMEs navigate the complexities of international trade with confidence, knowing they have the support and resources to manage disputes and maintain high ethical standards.

## ICC anti-corruption tools

ICC's tools can be accessed on the ICC website, [iccwbo.org](https://www.iccwbo.org), and by clicking on the direct links provided below.

- **[ICC Anti-Corruption Clause](#)**
  - This is a useful legal clause in most developed countries, however, do not expect that SMEs in challenging countries will necessarily adhere to such obligations.
- **[ICC Rules on Combating Corruption](#)**
  - A very useful tool to promote integrity in a company.
  - Keep in mind it can be a bit abstract for staff to “own” it and adhere to it.
  - Use this as a guide to build an SME's own code of conduct, to which all staff have contributed their ideas.
- **[ICC Guidance on “Responsible Business in Challenging Contexts”](#)**
  - A useful tool for navigating delicate business situations in challenging business environments.
- **[ICC Anti-Corruption Third Party Due Diligence: A Guide for SMEs](#)**
  - This guide will help SMEs to engage in due diligence by creating achievable and manageable due diligence goals.

# ICC tools and services for SMEs

**ICC One-Click** is an initiative that compiles all the tools and services ICC has made available for SMEs in one easy-to-navigate gateway on the ICC website, addressing key questions that businesses face when venturing into international markets.

## **The toolkit will help SMEs:**

1. [Identify global trade opportunities](#)
2. [Understand the basics of global trade](#)
3. [Showcase their products abroad](#)
4. [Leverage their IP assets](#)

The toolkit includes an Export Potential Map, a Global Trade Helpdesk, an Export/Import Guide, Training and Certification in Export/Import, information on how to avoid paying duties and taxes at customs when importing and exporting goods temporarily, an IP diagnostic tool, testimonial videos, an Exporter Checklist, and a section on preventing and resolving disputes, populated with guidance and tools that address SME needs. Most of the tools are available free of charge.

[Click here](#) for access to more information.

**The ICC Centre of Entrepreneurship** is a global programme that connects and empowers chambers and national committees to create thriving entrepreneurial ecosystems. Established in 2020, it leverages the ICC global network to help partners access knowledge and expertise from across the global entrepreneurship landscape. The network spans 16 countries and four continents, helping SMEs increase their participation in global trade and build global competitiveness. The Centre works to build local and international entrepreneurship ecosystems, expand networks, gain access to experts, best practices, products, and programmes, and better serve SMEs.

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**About the author:** Max Burger-Scheidlin served as the Secretary General of ICC Austria for more than 20 years and is currently Senior Director. He holds a doctorate in international and Austrian law and specialises in prevention of corruption, commercial crime, counterfeiting, root causes of global crime and money laundering, international business contracts, global competitive challenges to business, prevention of commercial disputes, dispute settlement and arbitration strategies. He has made presentations in 39 challenging countries and worked in 90 countries.

### **About the International Chamber of Commerce**

The International Chamber of Commerce (ICC) is the institutional representative of more than 45 million companies in over 170 countries. ICC's core mission is to make business work for everyone, every day, everywhere. Through a unique mix of advocacy, solutions, and standard setting, we promote international trade, responsible business conduct and a global approach to regulation, in addition to providing market-leading dispute resolution services. Our members include many of the world's leading companies, SMEs, business associations and local chambers of commerce.



33-43 avenue du Président Wilson, 75116 Paris, France  
T +33 (0)1 49 53 28 28 E [icc@iccwbo.org](mailto:icc@iccwbo.org)  
[www.iccwbo.org](http://www.iccwbo.org) @iccwbo