



INTERNATIONAL CONFERENCE ON

Foreign Bribery in International Business Transactions

**Shaping a New World:
Combating Foreign Bribery in International Business Transactions**

International Conference

10-11 May 2011
Grand Hyatt Hotel - Nusa Dua Bali - Indonesia

FINAL AGENDA

Organised and Hosted by the Commission for Eradication of Corruption in Indonesia (KPK)
Co-Organised by Organisation for Economic and Co-operation Development (OECD)

Introduction

Corruption is one of the leading obstacles to political, economic and social development. It undermines the rule of law and weakens the institutional bases of governance upon which continued growth and development depend. The importance of fighting foreign bribery cannot be overstated – it is a serious crime with serious consequences. Foreign bribery distorts competitive markets by undermining a level playing field in international business, often putting small, home-grown companies at a disadvantage. Every year, millions of dollars are squandered on bribes paid to public officials in exchange for business advantages. The result: roads vital for economic development are not built, bridges collapse, hospitals and schools are inadequately funded and supplied, and citizens lose confidence in their government, as bribe-paying companies or individuals undermine the integrity of the public service in the receiving-end country.

Due to instruments like the OECD Anti-Bribery Convention, and now the UN Convention against Corruption, the fight against foreign bribery has increased momentum. The G20 has now joined this fight. The Anti-Corruption Action Plan adopted in Seoul in November 2010 calls on G20 countries to adopt and enforce laws and other measures against international bribery. G20 countries will also begin by 2012 the necessary discussions to lead to on a voluntary basis more active engagement within the OECD with regards to standards on transnational bribery or to the ratification of the OECD Anti-Bribery Convention. G20 countries are also committed to promoting the effective implementation of Article 16 of the UNCAC on the bribery of foreign public officials and officials of public international organisations.

This international conference on foreign bribery, *Shaping a New World: Combating Foreign Bribery in International Business Transactions*, is therefore aimed at raising national and international awareness of the risks of foreign bribery, highlighting international and national legal frameworks for combating foreign bribery, sharing experiences and best practices in fighting foreign bribery, and fostering greater international co-operation between countries and other stakeholders. The conference is also a key step in supporting the implementation of the G20 Anti-Corruption Action Plan and G20 countries' commitment to adopting legislation to combat foreign bribery. The G20 Anti-Corruption Working Group and its Co-Chairs have indeed highlighted this conference as a key event leading up to the November 2011 G20 Summit in France. The Conference's Conclusions will include a major focus on the individual and collective next steps for achieving the objectives agreed upon in Seoul.

Who pays the price for foreign bribery? We all do. But we all have the ability – and the responsibility – to stop this harmful conduct.

Target Participants

International:

- International Law Enforcement Agencies
- International Anti Corruption Agencies
- Member Countries of the OECD Working Group on Bribery in International Business Transactions (WGB) and other countries engaged with the WGB
- Member Countries of the G20 Anti-Corruption Working Group
- Member Countries of ADB/OECD Anti-Corruption Initiative for Asia and the Pacific
- International Donor Agencies in Indonesia
- Foreign Embassies in Indonesia
- International and regional business organisations and companies in engaged in international business
- International Media
- Representatives from International and regional multilateral financial institutions (e.g. World Bank Group, Asian Development Bank)

Indonesia:

- Law Enforcement Agencies in Indonesia
- Relevant Ministries and other relevant Indonesian government bodies and agencies (e.g. Attorney-General's Office, Ministry of Foreign Affairs, Ministry of Finance, PPATK (Indonesia Financial Transaction Reports and Analysis Center), Ministry of Law and Human Rights)
- Members of the Judiciary
- Members of Parliament (Commission on Law and Legislation, Human Rights, and Security Affairs)
- National Media
- NGOs , Private sector leaders, Academics
- National Opinion Leaders
- Non-Departmental Non-Government Institutions (National Ombudsman, Judicial Commission, Constitutional Court, etc.)

AGENDA

Day 1, 10 MAY 2011

08:00 – 09:00	Registration
09:00 – 09:45	<p><i>Welcome Remarks:</i></p> <p>Richard Boucher, Deputy Secretary General, Organisation for Economic Co-operation and Development (OECD)</p> <p>Marzuki Alie, Head, House of Representatives (DPR), Republic of Indonesia</p> <p>M. Busyro Muqoddas, Chairman, Corruption Eradication Commission (KPK), Republic of Indonesia</p>
9:45 – 11.15	<p>National Legal Frameworks for Combating Bribery in International Business Transactions</p> <p>This session will look at different approaches to legislation at the national level that deal with foreign bribery and transnational corruption. Speakers will also highlight certain key elements of a foreign bribery offence.</p> <p><i>Chair:</i></p> <p>Professor Mark Pieth, Chair, OECD Working Group on Bribery in International Business Transactions</p> <p><i>Speakers:</i></p> <p>Vanessa Phala, Chief Director, Ethics and Integrity Management Unit, Department of Public Service and Administration, South Africa</p> <p>Anthony Kevin Morais, Senior Deputy Public Prosecutor, Malaysian Anti-Corruption Commission (MACC)</p> <p>Christine Uriarte, Anti-Corruption General Counsel for OECD, Anti-Corruption Division (on national frameworks in members of ADB/OECD Anti-Corruption Initiative for Asia- Pacific)</p> <p>Kimberley Tielemans, Senior Policy Advisor, Law Enforcement Department, Ministry of Justice, Netherlands</p> <p>Alexander Fedorov, First Deputy Minister of Justice, Russian Federation</p>
11:15 – 11:30	<i>Coffee Break</i>

11:30 – 13:00	<p>International Frameworks for Combating Bribery in International Business Transactions</p> <p>This session will address the general framework and international legal instruments, policies and practices dealing with foreign bribery and transnational corruption, including the OECD Anti-Bribery Convention, the G20 Anti-Corruption Action Plan, and the initiatives of the multilateral development banks.</p> <p><i>Chair:</i> Natalia Soebagyo, Chair, Transparency International (TI) Indonesia</p> <p><i>Speakers:</i> Patrick Moulette, Head, Anti Corruption Division, OECD</p> <p>Jean Pesme, Manager, Financial Market Integrity, World Bank</p> <p>Clare Wee, Director, Office of Anti-Corruption and Integrity, Asian Development Bank</p> <p>Florence Jeanblanc Risler, Co-Chair, G20 Anti-Corruption Working Group</p> <p>Geo-Sung Kim, Chairman, Transparency International Korea</p>
13:00 – 14:30	<p><i>Lunch (and Group Photo)</i></p>
14:30 – 16:15	<p>The Fight against Foreign Bribery as a Part of Global Governance</p> <p>This session will provide an opportunity for a panel of high-level leaders to exchange their different perspectives and experiences in the fight against foreign bribery.</p> <p><i>Speakers:</i> M. Busro Muqoddas, Chairman, Corruption Eradication Commission (KPK) Republic of Indonesia</p> <p>Richard Boucher, Deputy Secretary-General, OECD</p> <p><i>Keynote Address:</i> H.E. Susilo Bambang Yudhoyono, President, Republic of Indonesia</p> <p><i>(The President will leave the venue)</i></p> <p><i>Special Guest Speaker:</i> Professor Mark Pieth, Chair, OECD Working Group on Bribery in International Business Transactions</p>
16:15 – 16:30	<p><i>Coffee Break</i></p>

16:30 – 17:45	<p>Break out session: Global Networks and the Fight Against Foreign Bribery</p> <p>The objective of this session is to foster cooperation and strengthen networks between stakeholders in the international community.</p> <p><i>Chair:</i> Patrick Moulette, Head, Anti-Corruption Division, OECD</p> <p><i>Speakers:</i> Bernd Rossbach, Director, Specialised Crime and Analysis, International Criminal Police Organisation (INTERPOL)</p> <p>Olga Savran, Manager, Anti-Corruption Network for Eastern Europe and Central Asia</p> <p>Dr. Sar Sambaath South East Asian Parties Against Corruption (SEA-PAC)</p> <p>Gary Johnson, International Cooperation Unit, Federal Bureau of Investigation (FBI), United States</p>	<p>Break out session: International Legal Assistance in Transnational Bribery Cases</p> <p>This session will examine the challenges to obtaining and providing effective mutual legal assistance in transnational bribery cases, including new trends to overcome these challenges.</p> <p><i>Chair:</i> Prof. Pakdee Pothisiri, Commissioner, National Anti-Corruption Commission (NACC), Thailand</p> <p><i>Speakers:</i> Satoko Ikeda, Criminal Affairs Bureau, Ministry of Justice, Japan</p> <p>Alf Johansson, Chief Public Prosecutor, National Anti-Corruption Unit, Swedish Prosecution Authority, Sweden</p> <p>Kim Chang-Jin, Prosecutor, Ministry of Justice, Korea</p> <p>Emmanuel Akomaye, Economic and Financial Crimes Commission (EFCC), Nigeria</p>
18:00	<p>Dinner hosted by Corruption Eradication Commission (KPK), Republic of Indonesia</p> <p>[Note: 17:45 Departure of buses to transport participants to dinner venue]</p> <p><i>Welcome Dinner Remarks</i> Bibit Samad Rianto, Commissioner, Corruption Eradication Commission (KPK), Republic of Indonesia</p> <p><i>Cultural Performance</i></p>	

Day 2, 11 MAY 2011

08:30 – 09:00	<i>Refreshments</i>
09:00 – 10:30	<p>Criminal Enforcement and Corporate Prosecutions</p> <p>This session will look at actual investigations and prosecutions of bribery of foreign public officials in international business transactions, and the lessons and best practices that can be drawn from these cases.</p> <p><i>Chair:</i> Moch. Jasin, Commissioner, Corruption Eradication Commission (KPK), Republic of Indonesia</p> <p><i>Speakers:</i> Robert Strang, Criminal Division, Department of Justice, United States</p> <p>Claire Daams, Deputy Federal Attorney, Switzerland</p> <p>Alexandra Wrage, President, TRACE</p> <p>Dr. Günther Puhm, Judge, Court of Appeal, Munich, Germany</p> <p>Atle Roaldsøy, Senior Advisor, Ministry of Justice and the Police, Norway</p>
10:30 – 10:45	<i>Coffee Break</i>

10:45-12:15	<p>Emerging Economies’ Role in Advancing the OECD and G20 Agenda against Foreign Bribery</p> <p>Foreign bribery is not only a challenge for developed countries. As emerging economies develop, their companies become increasingly active in the international economy and are thus exposed to risks of committing foreign bribery. This session will consider the role that emerging economies play in fighting foreign bribery.</p> <p><i>Chair:</i> Nicola Bonucci, Director, Legal Directorate, OECD</p> <p><i>Speakers:</i> Huanmin Tan, Deputy Director General, Department of Laws and Regulations, Ministry of Supervision, P.R. China</p> <p>Alka Sirohi, Secretary, DOPT, Ministry of Personnel, India</p> <p>Dr. Alex Lesiba Mahapa, Deputy Director General, Department of Public Service and Administration, Anti-Corruption Directorate, South Africa</p> <p>Rafael Dubeux, Department of Parliamentary Affairs, Presidency of the Republic of Brazil</p> <p>Dr. Jeremy Weinstein, Director for Development and Democracy, National Security Council, The White House, United States</p> <p><i>Special Guest Speaker:</i> Marty Natalegawa, Minister of Foreign Affairs, Republic of Indonesia</p>
12:15-13:45	<i>Lunch</i>

13:45-15:30	<p>Break out session: Corporate Compliance and Transnational Bribery</p> <p>This session will look at how corporate compliance programmes can prevent and detect foreign bribery.</p> <p><i>Chair:</i> Bambang Harimurti, Executive Director, Tempo Group, Indonesia</p> <p><i>Speakers:</i> Dimitri Vlassis, Chief, Corruption and Economic Crime Branch, Division for Treaty Affairs, UNODC</p> <p>Nicola Bonucci, Director, Legal Directorate, OECD (OECD Good Practice Guidance on Internal Controls, Ethics and Compliance, 2009 Anti-Bribery Recommendation, Annex II)</p> <p>Francois Vincke, Vice-Chair, Commission on Corporate Responsibility and Anti-Corruption, International Chamber of Commerce (ICC)</p> <p>Ernest Alto, Regional Compliance Officer, Siemens</p> <p>Simon Whitfield, Department for International Development, UK</p>	<p>Break out session: Measures to Prevent and Detect Transnational Bribery</p> <p>This session will look at various measures for preventing and detecting transnational bribery.</p> <p><i>Chair:</i> Mas Achmad Santosa, Member of Anti Mafia Task Force, Former KPK Commissioner , Indonesia</p> <p><i>Speakers:</i> A.P. Singh, Director, Central Bureau of Investigation of India</p> <p>Dato Abu Kassim Mohamed, Chief Commissioner, Malaysian Anti-Corruption Commission</p> <p>Valerie Schilling, Senior Policy Analyst, Financial Action Task Force (FATF)</p> <p>Gregory A. Coleman, Federal Bureau of Investigation (FBI), United States</p> <p>Gian Luigi Albano, PhD., Head of R&D, Consip SPA, Italy</p>
15:30-16:15	<p>Adoption of Conference Conclusions</p> <p>Co-presented by KPK and OECD</p> <p>Giri Suprapdiono, Chief of International Cooperation, KPK, Indonesia</p> <p>Melissa Khemani, Anti-Corruption Analyst/Legal Expert, Anti-Corruption Division, OECD</p>	
16:15-16:30	<p><i>Coffee Break</i></p>	

16:30 – 17:30

Closing remarks

Chandra M. Hamzah, Vice Chairman, Corruption Eradication Commission (KPK),
Republic of Indonesia

Patrick Moulette, Head, Anti-Corruption Division, Directorate for Financial and
Enterprise Affairs, OECD

Florence Jeanblanc Risler, Co-Chair, G20 Anti-Corruption Working Group