

Appendix 2. Program

DAY 1	
<i>Opening</i>	
10.00–10.30 (plenary)	<p>Welcoming remarks Mr. U.S. Mishra, IPS, Special Director, Central Bureau of Investigation</p> <p>Inaugural Address Shri Bhure Lal, Secretary (Coordination and Public Grievances), Cabinet Secretariat, Government of India</p> <p>Introduction Mr. Jak Jabes (ADB) and Mrs. Enery Quinones (OECD)</p> <p>Introduction roundtable</p>
<i>Theme 1: Prosecution standards</i>	
<p>The independence of public prosecutors is of crucial importance in order for them to prosecute without obstruction. Many factors may, however, interfere in, or influence, the decision to launch criminal proceedings: considerations of national economic interest, the potential effect of a proceeding on relations with another state, or the identity of the natural or legal person possibly involved in the case.</p> <p>Consequently, it is important to define rules and standards that allow prosecutors, in the exercise of their power to prosecute, to be free from this type of influence or interference. Participants are therefore invited to discuss and compare the standards and policies governing their work and the types of obstacles that might challenge their independence and effective prosecution of corruption cases.</p>	

DAY 1 <i>(continued)</i>		
<i>General prosecution standards</i>		
10.30– 11.30 (plenary)	<p>Key presentation Mrs. Eva Joly Former Investigative Magistrate, France</p> <p>Comments Mr. S.K. Sharma, Director of Prosecution, CBI, India</p> <p>Discussion and Questions</p>	<p>The first session will discuss a number of key issues of which prosecutors should be particularly aware to avoid, to the extent possible, being unduly influenced in the exercise of their function and thus ensure independent and efficient prosecution of corruption and bribery. The need for, and the content of, clear and concise prosecution policies and guidelines to ensure credibility of procedures and consistency of treatment will also be addressed.</p>
<i>Prosecution standards in the context of decisions to charge public officials or persons with strong economic or political influence</i>		
11.45– 13.00 (plenary)	<p>Key presentation Mrs. Eva Joly</p> <p>Comments Mr. S.K. Sharma</p> <p>Discussion and Questions</p>	<p>Prosecution for corruption and bribery may present particularly acute concerns in cases where the prosecuted person has strong political or economic influence, such as a senior public official or a high-level executive manager. Senior public officials may have access to means of influencing the prosecutor, whether directly, for instance by removing the prosecutor, or indirectly, by affecting the prosecutor's work environment. Persons from the corporate sector who have important economic influence may also have access to means of influencing a prosecutor such as their network of contacts in the public administration or privileged access to the media. This</p>

DAY 1 <i>(continued)</i>		
		session will focus on procedures and possible prosecutorial approaches when a public official or a person with strong economic influence is the subject of an investigation and prosecution of bribery.
<i>Case Study 1</i>		
14.00– 14.15 (plenary)	Presentation of case study Mrs. Eva Joly	Presentation of the main features of the case study by the expert who prepared the study.
14.15– 15.45 (focus groups)	Case study work in three focus groups	
16.15– 17.30 (plenary)	Report to the plenary	

DAY 2*Theme 2: Cooperation between law enforcement agencies*

Well-functioning relations between the different law enforcement agencies involved in prosecuting corruption are key to obtaining sufficient evidence and information and to effectively prosecuting such offenses. Particular attention should in this context be paid to the interaction between prosecutors and police services where sometimes-lengthy procedures for requests by prosecution services for police intervention can impede the efficiency of enforcement and might provoke the disappearance of valuable evidence. Good working relations between police and prosecution services become particularly important in light of the complex nature of corruption offenses. In some cases it might become necessary, in order to effectively prosecute corruption, to look at other offenses such as money laundering, accounting offences, or tax fraud. Therefore, well-functioning cooperation with specialized services, such as financial intelligence units, is a key element in the effective prosecution of corruption. A second element in this context relates to communications and referrals from public administration. This exchange of information often opposes reporting requirements, which determine when officials in the public administration may refer information to police or prosecutors, to the need for safeguards against referring otherwise privileged or confidential information.

Cooperation between prosecution and police services

09.00– 10.30 (plenary)	<p>Key presentation Mr. John Dempsey-Brench National Crime Squad, United Kingdom</p> <p>Comments Mr. S.K. Sharma</p> <p>Discussion and Questions</p>	<p>To establish good working relations between prosecution and police services, some countries have opted to attach specialized police cells directly to prosecution services, while others address this issue by establishing simplified procedures regulating the relation between prosecutors and police services or by establishing centralized anti-corruption agencies. Depending on the institutional and cultural environment,</p>
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DAY 2 (continued)		
		both systems can be efficient, since they establish clear and concise rules defining the procedures for cooperation between the involved actors.
<i>Communications and referrals from public administration</i>		
11.00– 12.30 (plenary)	<p>Key presentation Mr. S.K. Sharma</p> <p>Comments Mr. Bernard Bertossa, Former Attorney General of Geneva, Switzerland</p> <p>Discussion and Questions</p>	Reporting obligations for public servants, combined with measures to protect their job and personal security, can be a useful tool in achieving efficient information sharing and making all public authorities, in particular those working in sensitive areas, aware of the need to inform the police and the prosecution services of possible cases of corruption coming to their knowledge in the exercise of their functions. However, this obligation might conflict in certain cases with the duty of confidentiality that applies to certain positions. For such cases, clear rules can help find a compromise between these two conflicting responsibilities.
<i>Case Study 2</i>		
14.00– 14.15 (plenary)	<p>Presentation of case study Mr. John Dempsy-Brench</p>	Presentation of the main features of the case study by the expert who prepared the study.

DAY 2 <i>(continued)</i>		
14.15– 15.45 (focus groups)	Case study work in three focus groups	
16.15– 17.30 (plenary)	Report to the plenary	

DAY 3*Theme 3: Mechanisms for gathering evidence abroad*

Whereas borders do not create barriers for criminals, they do present obstacles to authorities that are prosecuting offenses. Criminals often have access to enhanced methods of travel and communication, through which they can flee from detection and prosecution and conceal the evidence of and profits from their crimes. As criminals continue to perfect their techniques and are quick to take advantage of national boundaries to shield themselves from justice, law enforcement authorities throughout the world must unite to combat this common threat and be provided with a system of principles and procedures that allows them to operate efficiently in a world where transnational crime is growing.

Formal systems for providing and obtaining legal assistance

09.00– 10.30 (plenary)	Key presentation Mr. Bernard Bertossa Comments Mr. S.K. Sharma Discussion and questions	The first half of this plenary session will discuss the varying principles that apply to the provision of mutual legal assistance. In particular, structures that currently seem to impede appropriate and efficient provision of MLA, and remedies against these possible impediments, will be discussed.
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Informal networking

11.00– 12.30 (plenary)	Key presentation Mr. Bernard Bertossa Comments Mrs. Eva Joly Discussion and questions	One of these remedies, to be further discussed in this second half, are informal networks of contacts, which can facilitate cooperation between relevant authorities in different countries in the region and thus facilitate the efficient provision of necessary mutual legal assistance.
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DAY 3 <i>(continued)</i>		
<i>Case Study 3</i>		
14.00– 14.15 (plenary)	Presentation of case study Mr. Bernard Bertossa	Presentation of the main features of the case study by the expert who prepared the study.
14.15– 15.45 (focus groups)	Case study work in three focus groups	
16.15– 17.30 (plenary)	Report to the plenary	
<i>Follow-up and conclusions</i>		
17.30– 18.00 (plenary)	Mr. Jak Jabes (ADB) and Mrs. Enery Quiñones (OECD)	The final session will aim to summarize the main findings of the discussions, presentations, and case study work during the seminar. Furthermore, the Secretariat will propose a format for a seminar report to facilitate reporting back to local authorities and staff by the participants. Participants are also invited to suggest a possible follow-up to this seminar on the national, subregional, or regional level.