

Strengthening the Anti-Bribery Convention

Thematic Roundtables on the Review of the OECD Anti-Bribery Recommendation

DRAFT AGENDA

Friday 22 March 2019

Room 6, OECD Conference Centre

2, rue André Pascal 75116

Paris, France



The OECD Working Group on Bribery (WGB) is reviewing the 2009 OECD Anti-Bribery Recommendation. This Recommendation sets critical standards in the fight against transnational bribery, and its review will ensure that these standards remain relevant and effective as new challenges appear. As part of the public consultation to review the Recommendation, this series of thematic roundtable discussions will explore how to update this key standard and strengthen the fight against transnational bribery.

In parallel with these discussions, a written consultation is organised on the basis of a paper which raises a variety of cross-cutting issues regarding the review of the OECD Anti-Bribery Recommendation. These issues have emerged over the last decade from the Working Group's programme for monitoring implementation of the OECD anti-bribery instruments by the 44 Parties to the OECD Anti-Bribery Convention; new trends and challenges are also identified. The consultation paper is available on the OECD webpage: www.oecd.org/corruption/2019-review-oecd-anti-bribery-recommendation.htm.

Responses should be provided by no later than 30 April 2019.



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08:55– 09:00 **Opening Remarks**

Speaker **Ms. France Chain**, Senior Legal Analyst and Manager for the review of the 2009 Anti-Bribery Recommendation, OECD Anti-Corruption Division

09:00 -10:15 **Roundtable 1. Addressing the Challenges of Foreign Bribery Enforcement**

Objectives

- Effectively investigating and prosecuting foreign bribery
- International cooperation
- Resolving foreign bribery cases

This roundtable will discuss the main challenges in enforcing foreign bribery laws, including evidentiary requirements and innovative investigative tools, adequate sanctions for offenders and non-trial resolutions. The discussion will also focus on ways to enhance cooperation among countries Party to the Convention and facilitating cooperation with non-members.

Moderator **Ms. Danielle Goudriaan**, National coordinating prosecutor on corruption for the Netherlands, Netherland's National Prosecutor's Office for Serious Fraud

Speakers

- **John Carlson**, Senior Analyst, Financial Action Task Force (FATF)
- **David Pèrè**, Counsel, Bryan Cave Leighton Paisne
- **Victor Godoy Veiga**, Head of the Directorate of Leniency Agreements, Comptroller General, Brazil

10:15 – 10:30 **Coffee break**

10:30 -11:45 **Roundtable 2. New Horizons in Anti-Corruption Compliance**

Objectives

- Anti-corruption risks and compliance
- Dealing with bribe solicitation
- The other side of the coin: Perspectives of the private sector on foreign bribery enforcement

This roundtable will examine corruption challenges faced by the private sector, including the risk posed by intermediaries, adequate corporate response and governmental support in dealing with bribery solicitation. It will also discuss how the Anti-Bribery Recommendation could better incentivise compliance. Finally, it will focus on enforcement matters from the perspective of the private sector, including the value of self-reporting, the effectiveness of sanctions, and the challenged of dealing with enforcement from multiple jurisdictions.

Moderator **Ms. Maria Gavouneli**, Associate Professor of International Law, Faculty of Law, University of Athens, and Member of the Management Group of the Working Group on Bribery

Speakers

- **Gemma Aiolfi**, Head of Compliance and Corporate Governance / Collective Action, Basel Institute in Governance
- **Emmanuel Farhat**, Senior International Affairs Officer, Agence française anticorruption
- **Klaus Moosmayer**, Member of the Executive Committee, Novartis, Chief Ethics, Risk and Compliance Officer, Novartis and Chair of the BIAC Anti-Corruption Committee

11:45 - 12:00 **Coffee break**

12:00-13:15 **Roundtable 3. Mobilising Key Stakeholders in the Fight against Foreign Bribery**

Objectives

- Enhancing detection of foreign bribery
- Mobilising government agencies and the public to detect and support the fight against foreign bribery
- Roles and responsibilities of auditors in the fight against foreign bribery

This roundtable will explore ways to improve access to reporting channels and better protect whistleblowers. It will also discuss how certain government agencies could enhance their capacity to detect foreign bribery. Finally, it will address how auditors could play a greater role in preventing and uncovering foreign bribery.

Moderator

Ms. Maria Gavouneli, Associate Professor of International Law, Faculty of Law, University of Athens, and Member of the Management Group of the Working Group on Bribery

Speakers

- **Gillian Dell**, Head of Conventions Unit, Transparency International
- **Prof. Kim Jeppesen**, Professor of Auditing and Programme Director for the MSc. in Accounting and Auditing, Copenhagen Business School
- **John Kielty**, Chief Intelligence Officer, UK Serious Fraud Office (SFO)

13:15-13:30 **Concluding Remarks**

Mr. Patrick Moulette, Head, OECD Anti-Corruption Division