

# **Fifth Meeting of the Global Network of Law Enforcement Practitioners against Transnational Bribery**

Joint or parallel investigations in transborder  
corruption cases and resolutions in  
multijurisdictional corruption cases

## **AGENDA**

5 December 2023 | OECD Conference Centre, Paris



## Background

The Global Network of Law Enforcement Practitioners against Transnational Bribery (GLEN) is a technical network for peer learning and exchanging experiences and good practices among law enforcement practitioners focusing primarily on fighting transnational bribery. The Network's focus on real-life transnational bribery cases and participation limited to law enforcement practitioners ensure candid and practice-oriented discussion. The GLEN, which follows a similar methodology to the informal meeting of law enforcement officials (LEO) of the OECD Working Group on Bribery in International Business Transactions (Working Group on Bribery), encourages informal cooperation between members of the WGB members and other jurisdictions on transnational bribery.

It complements other global anti-corruption law enforcement networks, such as GlobE, INTERPOL/StAR Global Focal Point Network and CARIN.

By bringing law enforcement practitioners together at a global level, the meeting fosters connections among members of the different law enforcement networks as well as regional networks<sup>1</sup> supported by the Working Group on Bribery and its Secretariat in the OECD Anti-Corruption Division. It helps participants build professional contacts and strengthen their capacity to investigate and prosecute transnational bribery cases through peer learning.

As it has a technical focus, the network does not produce policy initiatives, political declarations, or summary records. At the same time, the network collects and, unless there are objections, disseminates to its participants peer learning materials for capacity development purposes.

Since its inception, the GLEN has benefited from financial support from the United Kingdom, Germany, and the United States. So far, the network has held four biennial meetings which discussed such topics as the enforcement of corporate liability for corruption offences, ways of strengthening international cooperation in transnational bribery cases, the impact and challenges of new technologies in transnational bribery investigations, and the features of detecting and investigating corruption related to emergency situations.

## Objectives of the meeting

The fifth meeting, which is financially supported by the United States Department of State under the new OECD-implemented project *Advancing the Frontier in the Global Fight Against Transnational Corruption: Implementation of the 2021 OECD Anti-Bribery Recommendation*, will explore the potential for stronger implementation of the OECD Anti-Bribery Convention and the 2021 Anti-Bribery Recommendation through coordinated law enforcement actions and robust cooperation among WGB members and non-member countries.

To that end, the event will facilitate the exchange of best practices, experiences, and lessons learned in collaboration in transnational corruption cases. The discussion will centre on the practice of conducting joint or parallel investigations and prosecutions, as well as multi-jurisdictional resolutions of foreign bribery and other transnational corruption investigations and related crimes. In addition to this peer learning objective, the meeting will provide an opportunity for investigators, prosecutors, and other law enforcement practitioners worldwide to establish contacts, and hold informal discussions pertaining to practical aspects of cooperation on individual cases.

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<sup>1</sup> The OECD DAF Anti-Corruption Division runs informal law enforcement networks (LENs) in Eastern Europe and Central Asia (ACN LEN), Asia Pacific (AP LEN), Latin America and the Caribbean (LAC LEN) while establishing similar networks for Africa and the MENA region is currently under consideration.

### **The 2021 OECD Anti-Bribery Recommendation**

The 2021 OECD Anti-Bribery Recommendation was adopted by the OECD Council in November 2021. With this Recommendation, the Parties to the Anti-Bribery Convention agreed to new measures to reinforce their efforts to prevent, detect and investigate foreign bribery. In addition to enhancing the existing legal provisions, the 2021 Recommendation includes sections on key topics that have emerged or significantly evolved in the anti-corruption area, including, inter alia, on enhancing international cooperation among law enforcement authorities and cooperation in multi-jurisdictional cases.

In particular, the Recommendation requires countries to adopt a proactive approach in seeking international cooperation and enhance the efficiency of mutual legal assistance in practice, as well as ensure direct coordination in concurrent or parallel investigations and prosecution, and consider setting up joint or parallel investigative teams, holding consultations and coordination at all stages of investigation, prosecution and conclusion of the case, while paying due attention to possible risks, including dual jeopardy.

More information on the 2021 OECD Anti-Bribery Recommendation can be found [here](#).

### **Participants**

The meeting is open to law enforcement officials and prosecutors who investigate and prosecute transnational bribery-related crimes. The meeting will be accessible only to duly registered participants to protect the confidentiality of the discussions. Participants may also wish to hold bilateral and multilateral meetings with their counterparts from other jurisdictions in the margins of the meeting.

### **Language**

The meeting will be conducted in English only.

### **Meeting room**

OECD Conference Centre, meeting room CC 2.

**09:00–09:30 Opening remarks**

- **Mr Ulrik Vestergaard Knudsen**, Deputy Secretary General, OECD
- **Ms Karen Enstrom**, Chargée d'Affaires, U.S. Mission to the OECD

**09:30-11:15 Session 1.**

**Joint and parallel investigations and prosecutions in transnational corruption cases**

This session will focus on the benefits and challenges of conducting joint and parallel investigations and prosecutions. The discussion will be built around real-life examples and include such aspects as setting up and managing joint investigative teams, establishing and utilising various communication channels, ways to exchange information and share evidence, coordination among participating jurisdictions in carrying out concerted law enforcement actions, and the disclosure of the investigation.

Chair – **Ms Anca Jurma**, Chief Prosecutor of the Liaison Office with Similar Institutions from Other Countries, National Anticorruption Directorate (DNA), Romania, Chair of the Law Enforcement Network of the Anti-Corruption Network for Eastern Europe and Central Asia

Speakers:

- Parallel investigations, **Ms Lucy Graham**, Investigative Lawyer, Serious Fraud Office (SFO), the United Kingdom, and **Mr Timothy Jolly**, Detective Superintendent, Australian Federal Police
- Joint investigative teams
  - **Mr Mitleshkumarsingh Roopchand**, Chief Legal Adviser, Independent Commission Against Corruption, Mauritius, and **Mr Thomas Wienand**, Associate Prosecutor, National Special Crime Unit, Danish Prosecution Service
  - **Mr Taras Shcherbay**, Prosecutor, Specialised Anti-Corruption Prosecutor's Office and **Mr Serhii Rokun**, Head of Division, National Anti-Corruption Bureau, Ukraine

**11:15 -11:45 Coffee Break**

**11:45-12:45 Networking Opportunity**

This session will allow participants to meet each other, get information about institutional and legal features in their jurisdictions, and discuss concrete cases where they seek assistance from each other.

**12:45-14:00 Lunch**

**14:00-15:30 Session 2.**

**Panel discussion on multijurisdictional resolutions of transnational corruption cases**

The session aims to collect insights into the practice of resolving transnational corruption cases in multiple jurisdictions through simultaneous or coordinated non-trial resolutions. The number of such multijurisdictional resolutions of corruption cases has steadily

increased over recent years, and the time has come to draw lessons from this renewed way to cooperate among jurisdictions.

In particular, the session will discuss concluded cases that will:

- ✓ showcase the benefits of early cooperation and coordination between jurisdictions towards reaching the non-trial resolution of corruption cases, ways to manage the differences in countries' legal frameworks (in particular, their regimes for obtaining admissible evidence, concluding non-trial resolutions, and for holding companies liable), as well as institutional differences (e.g., criminal law enforcement versus non-criminal enforcement authorities);
- ✓ examine challenges met in the course of concluding multi-jurisdictional resolutions along with other important aspects of the process (e.g. different stages of the investigation, sharing information among authorities involved), the impact of a non-trial resolution in one jurisdiction on the proceedings in other jurisdictions, the extent to which sanctions and monitoring of the implementation of the terms of the resolution can be coordinated among jurisdictions, and, as relevant, non bis in idem considerations, as well as addressing assets-related and compensation to victims matters.

Chair – **Ms Amy Román Bryan**, Attorney, Office of the Public Ethics Prosecutor, Attorney General's Office, Costa Rica, host and co-chair of the 2024 meeting of the Law Enforcement Network in Latin America and the Caribbean

Panellists:

- **Mr Matthias Portmann**, Federal Prosecutor, Office of the Attorney General, Switzerland
- **Mr David Fuhr**, Chief, Foreign Corrupt Practices Act (FCPA) Unit, Fraud Section, Criminal Division, Department of Justice, the United States
- **Mr Jerome Simon**, First Vice Prosecutor, Financial Prosecutor's Office (PNF), France
- **Mr Alex Jayne**, Case Controller, Serious Fraud Office (SFO), the United Kingdom (online)
- **Mr Renato Machado de Souza**, Director for the Promotion of Private Integrity, Secretariat for Private Integrity, Office of the Comptroller General (CGU), Brazil

**15:30-16:00**    **Coffee Break**

**16:00-17:00**    **Session 3.**

**Break-out sessions**

Split into smaller working groups, participants will continue exploring the potential and challenges for more active use of parallel and joint investigations and prosecutions, as well as entering multi-jurisdictional resolutions in transnational corruption cases. Each working group will use a relevant hypothetical or real-life case example as a starting point, followed by a brainstorming discussion among members of the group.

**17:15-18:00 Debrief on the break-out session discussions**

In this part of the session, the rapporteurs of the break-out sessions will present key takeaways from the groups' discussion, particularly key challenges faced and topics of interest for future exchanges.

**18:00-18:30 Closing Remarks**

- **Mr Andrew Gentin**, Chief, Corporate Enforcement, Compliance, & Policy (CECP) Unit, Fraud Section, Criminal Division, Department of Justice, the United States, Chair of the OECD WGB Law Enforcement Officials
- **Mr Navin Beekarry**, Director General, Independent Commission Against Corruption, Mauritius
- **Mr Nicolas Pinaud**, Deputy Director, Acting Head of the Anti-Corruption Division, Directorate for Financial and Enterprise Affairs, OECD

**18:30 -20:15 Networking Cocktail**

George Marshall room, Château de la Muette