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Section of International  
Law and Practice  
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Transparency International



Ordre des Avocats de Paris

\*As per the Law Society of England and Wales. The number of CPD points/hours available may vary for other Bar Associations and Law Societies depending on their criteria.

**US CLE**

Accreditation has been approved by the Bar Association of New York and the State Bar of California.

**French CLE**

Accreditation has been approved by the Paris Bar.

A Conference presented by the  
International Bar Association

## 3rd Annual Conference

# The Awakening Giant of Anti-Corruption Enforcement

4-6 May 2005

Marriott Paris Champs-Élysées, France

This prestigious Conference will provide an informative overview of the latest developments in anti-corruption, including the unprecedented number of enforcement actions over the past year.

The Conference will emphasise case studies, global enforcement and compliance, anti-corruption initiatives around the world as well as practical problems for corporations and their counsel such as dealing with improper payments and non-cash bribes and the move towards 'best practices' in compliance programmes.

### Who should attend?

Business lawyers, corporate counsel, compliance officers, auditors, representatives of law enforcement agencies, practitioners advising multinational companies and white-collar criminal defence counsel.

Up to 10½ CPD  
hours available\*

# Programme

## Conference Chairs

Homer Moyer Jr *Miller & Chevalier, Washington DC; former General Counsel, US Department of Commerce*  
François Serres *Serres & Associates, Paris*

## Wednesday 4 May

1800 – 2000

**Drinks Reception hosted by the Paris Bar**  
Maison du Barreau  
2-4 rue Harlay, Paris 75001

### Welcome Remarks

Jean-Marie Burguburu *Chairman, Paris Bar*

Alain de Foucaud *Member of the Bar Council and Delegate for European and International Affairs, Paris Bar*

Transport to the reception from the Marriott Paris Champs-Élysées will be provided

### Continuing Professional Development / Continuing Legal Education

This Conference has been accredited for CPD / CLE by the Law Society of England and Wales. For delegates from countries where CPD/CLE is mandatory, the International Bar Association will be pleased to provide a Conference Certificate of Attendance which, subject to the exact CPD / CLE requirements, may be used to obtain the equivalent accreditation in your jurisdiction. Delegates should ask staff at the Registration Desk for information as to how to obtain the hours.

### US CLE

Accreditation has been approved by the Bar Association of New York and the State Bar of California. IBA certificates of attendance will be available for lawyers from self-reporting US states.

### French CLE

Accreditation has been approved by the Paris Bar. IBA certificates of attendance will be available.

WHO'SWHOLEGAL

## Thursday 5 May

0800 – 1745 **Registration**

### International Developments and Enforcement

0900 – 0930

#### Welcome Remarks

François Serres *Serres & Associates, Paris*

#### Conference Overview

Homer Moyer Jr *Miller & Chevalier, Washington DC; former General Counsel, US Department of Commerce*

0930 – 1030

### I An Overview of Global Enforcement and Compliance

- An update of new conventions and new financial institution initiatives
- A summary of political dynamics affecting increased measures against official corruption
- A current report on implementation and enforcement by OECD countries
- Observations on the new United Nations convention
- Perspectives on convention congestion, overlapping and inconsistent regimes, conflicts within and among national law systems

*Moderator*

Nicola Bonucci *Deputy Director of Legal Affairs, OECD, Paris*

*Panellists*

Lucinda Low *Miller & Chevalier; Chair, ABA Anti-Corruption Task Force, Washington DC*

Mark Pieth *Chair, OECD Working Group on Bribery, Paris*

1030 – 1045 **TEA/COFFEE BREAK**

1045 – 1145

### II Anti-Corruption Initiatives Around the World

Apart from signatories to the OECD convention, many countries, including so-called 'red flag' countries, are undertaking various initiatives to combat official corruption. Often encouraged or assisted by Transparency International, these initiatives are becoming an important new dynamic in the anti-corruption landscape, where local law issues have sometimes been relegated to secondary importance.

*Moderator*

Nancy Zucker Boswell *Transparency International, Washington DC*

*Panellists*

Justice Adebayo Akambi *Chairman, Anti-Corruption Commission of Nigeria, Abuja*

Dane L Chamorro *Deputy Country Manager, Control Risks Group, Shanghai*

Eduardo Bohorquez *Executive Director, Transparencia Mexicana, Mexico City*

Glen Ware *Senior Institutional Integrity Officer, World Bank, Washington DC*

1145 – 1300

### III Prosecutors' Forum

Transnational cooperation, alternatives to MLATs, anti-money laundering laws as investigative tools, sources of leads, and joint or parallel investigations.

*Moderator*

Peter Clark *Cadwalader Wickersham & Taft LLP, Washington DC; former Deputy Chief, Fraud Section, US Department of Justice*

*Panellists*

Ulrich Busch *Senior State Prosecutor, Hessen, Frankfurt am Main*

Francesco Greco *Prosecutor, Milan (invited)*

Mark Mendelsohn *Deputy Chief, Fraud Section, US Department of Justice, Washington DC*

Jean-Bernard Schmid *Investigating Magistrate, Geneva*

Renaud Van Ruymbeke *Magistrate, Paris*

1300 – 1430 **LUNCHEON**

*Luncheon Speaker*

Eva Joly *former Magistrate in France, now Special Adviser to the Government Ministry of Justice and the Police, Oslo (invited)*

1430 – 1600

### IV Case Studies

The record number of cases resolved over the last 12 months raises a host of issues critical to analysing issues of corruption and to advising clients how best to respond. The following cases reflect the exercise of jurisdiction across national borders, non-cash bribes, charitable contributions, improper conduct by foreign affiliates, 'business purpose', issues arising in M&As, compliance requirements as penalties, and record fines

involving activities in the following countries:

- ABB – Nigeria, Kazakhstan and Angola
- Titan – Benin
- Kay and Murphy – Haiti
- Schering-Plough – Poland
- Monsanto – Indonesia
- InVision – Thailand
- Bodmer – Azerbaijan

*Moderator*

**Homer Moyer** *Miller & Chevalier, Washington DC*

*Panellists*

**Monty Raphael** *Peters & Peters, London*

**Roger Witten** *Wilmer Cutler Hale & Dorr, New York*

*Commentator*

**Paul Berger** *Associate Director of Enforcement, US Securities and Exchange Commission, Washington DC*

1600 – 1615 **TEA/COFFEE BREAK**

1615 – 1745

## V Looking for a Forum

Corruption cases around the world raise a number of new issues in terms of cross-border litigation. This session will deal with unofficial exchange of information between judges, defence against abusive rogatory letters, and litigations initiated by other competitors in the tendering process.

*Moderator*

**François Serres** *Serres & Associates, Paris*

*Panellists*

**Stephane Bonifassi** *Lebray & Associates, Paris; Co-Chair, Business Crime Committee of the International Bar Association Criminal Law Section*

**Ed Davis** *Astigarraga Davis, Miami*

**Juan Luis Florido** *Attorney General of the Republic of Guatemala, Guatemala City (invited)*

**Marc Henzelin** *Lalive & Partners, Geneva*

**Babajide Ogundipe** *Sofunde Osakwe Ogundipe & Belgore, Lagos*

1815 – 2000 **Wine tasting**

*Hosted by TRACE International Inc*

A unique opportunity to discover and sample a selection of excellent wines from the various wine-growing regions of France.



## Friday 6 May

0830 – 1300 **Registration**

### Practical Problems for Corporations and their Counsel

0900 – 1000

#### VI Responding to Potentially Improper Payments

- Internal investigations
- Violations discovered on the eve of merger – ABB, Syncor, Titan
- Corrective and disciplinary measures
- Compliance enhancements
- Voluntary disclosure
- Audit committee and supervisory board involvement

*Moderator*

**Tim Dickinson** *Dickinson Landmeier, Washington DC*

*Panellists*

**Kurt Herrmann** *ABB, Zurich*

**Steve Yslas** *Northrop Grumman Corporation, Los Angeles, California*

1000 – 1100

#### VII Non-Cash Bribes: Travel, Meals and Lodging, Entertainment, Gifts, Per Diem

- When is lavish hospitality a violation? Metcalf & Eddy; ABB
- Gift-giving
- The quandary of per diem payments
- Entertainment and Recreation – visiting Paris, Disneyworld
- The relevance of local custom, the rank and compensation of the recipient
- Is the measure value to the recipient or cost to the host?

*Moderator*

**Alexandra Wrage** *TRACE International Inc, Washington DC*

*Panellists*

**Farzad Barkhordari** *Barkhordari LLC, Reston, VA*

**Patrick Moulette** *Head of Anti-Corruption Division, OECD, Paris, (invited)*

**Bill Steinman** *Powell Goldstein LLP, Washington DC*

**Jane Wexton** *General Electric Consumer Finance, Stamford, Connecticut*

1100 – 1115 **TEA/COFFEE BREAK**

1115 – 1230

#### VIII The Evolving Standard of 'Best Practice' Compliance Programmes

- Senior management commitment and leadership
- Management responsibility and accountability
- Effective training techniques
- Monitoring, audits, discipline
- The perils of third-party contractors – consultants, lawyers, brokers, etc
- How to develop a 'compliance culture'
- The phenomenon of independent compliance monitors

*Moderator*

**Thomas Pletscher** *Member of the Executive Board, economiesuisse – Swiss Business Federation; Chair, BIAC WG on Bribery, Vice-Chair, ICC Anti-Corruption Commission, Zurich*

*Panellists*

**Paul Berger**

**Dominique Lamoureux** *General Secretary, Thales International, Paris*

**Jean-Pierre Méan** *General Counsel and Chief Compliance Officer, SGS SA, Geneva*

**Philippe Montigny** *International Development & Strategies, Paris*

1230 – 1300

#### IX Capsule Predictions for the Coming Year

Additional two-minute predictions for the coming year, or trends as seen by prosecutors, international organisation officials, private practitioners, corporate lawyers, scholars, and conference delegates.

*Moderator*

**Homer Moyer**

*Predictors*

**Paul Berger**

**Nicola Bonucci**

**Nancy Zucker Boswell**

**Peter Clark**

**Mark Mendelsohn**

**Babajide Ogundipe**

**François Serres**

**Conference adjourns with a glass of French wine.**

# Information

## Date

4-6 May 2005

## Venue

Marriott Paris Champs-Élysées  
70 avenue des Champs-Élysées  
Paris, IDF 75008, France  
Tel: + 33 1 53 93 55 00  
Fax: + 33 1 53 93 55 01

## Language

All working sessions and Conference materials will be in English.

## How to register

Please complete the attached registration form and return it to Sarah Baker at the IBA together with your payment.

## Fees

 Registration forms and fees received:

	<i>on or before</i>	<i>after</i>
	<i>22 April</i>	<i>22 April</i>
IBA member	£750	£850
Non member	£850	£950
Young lawyers (Under 30 years)	£565	£950
Academics / Judges (Full time)	£565	£950
Corporate counsel	£675	£950

**Full payment must be received in order to process your registration.**

## Fees include

- Attendance at all working sessions
- Conference materials, including any available speakers' papers submitted to the IBA before 15 April
- Access to the above Conference working materials from the IBA website ([www.ibanet.org](http://www.ibanet.org)) approximately 7 days prior to the Conference
- Lunch on Thursday 5 May
- Tea and coffee during breaks
- Invitation to a hosted Reception on Wednesday 4 May
- Invitation to a hosted Wine Tasting on Thursday 5 May

**Please note that registrations are not transferable.**

## List of participants

In order for your name to appear in the list of participants, which will be distributed at the Conference, your registration form must be received by 29 April at the latest.

## Payment of registration fees

**Pounds sterling:** by cheque or bank draft drawn on a UK bank and in favour of the International Bar Association. Please send to: International Bar Association, 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

**OR** by bank transfer to the IBA account number: 13270222 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom or SWIFT address NWBKGB2L or IBAN GB05NWBK56000313270222.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Euro:** by bank draft converted at the current rate of exchange and in favour of the International Bar Association OR by bank transfer to the IBA Bank Account Number 550/00/06570631 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom SWIFT address NWBKGB2L or IBAN GB58NWBK60721106570631.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**US dollars:** by cheque or bank draft converted at the current rate of exchange and drawn on a US bank and in favour of the International Bar Association. Please send to: International Bar Association, 10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom.

**OR** by bank transfer to the IBA account number: 01286498 at the National Westminster Bank, St James's & Piccadilly Branch, (Sort Code 56-00-03), 208 Piccadilly, London W1A 2DG, United Kingdom.

**Please ensure that a copy of the bank transfer details is attached to your registration form.**

**Credit card payments:** by Visa, Mastercard or American Express. **No other cards are accepted.**

**PLEASE ENSURE THAT YOUR NAME AND THE WORDS '736Paris' APPEAR ON ANY TRANSFER OR DRAFT.**

## Cancellation of registration

If cancellation is received in writing at the IBA office by 15 April, fees will be refunded less a 25 per cent administration charge. We regret that no refunds can be made after this date.

## Travel arrangements and visas

Participants are responsible for making their own travel arrangements. It is recommended that you check your visa requirements with your local Embassy or Consulate.

**We are unable to send out letters supporting visa applications to embassies prior to receipt of your registration form and full payment of registration fees.**

**Please apply for your visa in good time.**

## Hotel accommodation

A limited number of rooms has been reserved at the Marriott Paris Champs-Élysées:

Marriott Paris Champs-Élysées  
70 avenue des Champs-Élysées  
Paris, IDF 75008, France  
Tel: + 33 1 53 93 55 55 (reservations)  
Fax: + 33 1 34 38 53 45

for the nights of 4-6 May inclusive.

The following rates are per room, per night and inclusive of all taxes but exclusive of city tax of €1.20 per person per night and breakfast.

**King Deluxe €300**  
**Twin Deluxe €300**

Please complete the attached accommodation form and send it direct to the hotel to make your reservation. The hotel requires a credit card number to secure your reservation.

## Cancellation policy

**Cancellations made 15 days prior to arrival will incur a cancellation fee. Please note that any reservation made after 15 April will be subject to availability and cannot be guaranteed at the special IBA rate.**

**As a limited number of rooms has been blocked at the hotel availability cannot be guaranteed once the room block is full.**

Delegates are responsible for making accommodation reservations directly with the hotel and enter into an agreement with the hotel regarding credit card guarantees, cancellation terms and conditions, and room rates (should these differ from the special IBA rate). The IBA cannot accept responsibility for hotel accommodation disputes between a delegate and the hotel.

## Promotional literature

Please note that no individual or organisation may display or distribute publicity material or other printed matter during the Conference, unless by prior arrangement with the IBA. Organisations and companies wishing to discuss promotional opportunities should contact Kathryn Davies at the IBA [kathryn.davies@int-bar.org](mailto:kathryn.davies@int-bar.org)

# Registration Form

## The Awakening Giant of Anti-Corruption Enforcement

4-6 May 2005, Marriott Paris Champs-Élysées, France

Please read the 'Information' section before completing this form and return it, together with your payment, to Sarah Baker at the address overleaf.

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**Personal details** (Please attach your business card or write in block capitals)

Name \_\_\_\_\_

Membership number (if applicable) \_\_\_\_\_ Date of birth \_\_\_\_\_

Firm / Company / Organisation \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

Badge (name and country to be shown on badge, if not as above) \_\_\_\_\_

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**Special dietary requirements**

\_\_\_\_\_

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Registration form and fees received:	On or before 22 April	After 22 April	Amount payable
IBA member	£750	£850	£
Non member*	£850	£950	£
Young lawyers (under 30 years)	£565	£950	£
Academics / Judges (full time)	£565	£950	£
Corporate counsel	£675	£950	£
<b>TOTAL AMOUNT PAYABLE</b>			<b>£</b>

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**Full payment must be received in order to process your registration.  
Please note that registrations are not transferable.**

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**\* Join the IBA today and register for this Conference at the IBA member rate.  
Please find the IBA membership application on [www.ibanet.org](http://www.ibanet.org)**

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*Continued overleaf*

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**For office use only**

Payment \_\_\_\_\_ Banked \_\_\_\_\_ Processed \_\_\_\_\_

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**Payment details**

- I enclose a cheque / bank draft made payable to the IBA for the total amount payable.
- I have transferred to the IBA bank account the total amount payable and have attached a copy of the bank transfer details.
- Please charge the total amount due to my Visa / Mastercard / American Express (*Other cards are not accepted*).

Card number \_\_\_\_\_ Expiry date \_\_\_\_\_

Name of card holder \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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**Where did you first hear about this Conference?**

- IBA CONFERENCE     OTHER CONFERENCE     DIRECT MAIL     INTERNET     ADVERTISEMENT
- E-MAIL     EDITORIAL     RECOMMENDATION     OTHER

*Please provide further details, quoting code (if applicable)*

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IBA listings are provided to third parties, are used for marketing purposes and are published on the internet and other internationally available networks and media. The IBA will treat your personal information with the utmost respect and in accordance with UK data privacy laws.

If you do not want your details to be passed on, please tick the box

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***Please send the completed form to:***

Sarah Baker

**International Bar Association**

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel: +44 (0)20 7691 6868 Fax: +44 (0)20 7691 6545 or +44 (0)20 7691 6544

e-mail: sarah.baker@int-bar.org website: www.ibanet.org

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# Accommodation Form



International Bar Association, 4-6 May 2005, Paris, France

## Marriott Paris Champs-Élysées

70, Avenue des Champs Elysées – F-75008 Paris – France

Hotel Reservations: +33 1 53 93 55 55 Hotel Fax: +33 1 34 38 53 45 Contact: Reservations Department

Please fax this reservation form directly to the Marriott Hotel **no later than 15 APRIL 2005**  
Hotel fax number: +33 1 34 38 53 45

Family name \_\_\_\_\_ First name \_\_\_\_\_

Position \_\_\_\_\_

Company \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Tel \_\_\_\_\_ Fax \_\_\_\_\_

E-mail \_\_\_\_\_

King Deluxe €300  Twin Deluxe €300  Smoking Room  No-Smoking Room Number of nights \_\_\_\_\_

Arrival date \_\_\_\_\_ Estimated time (Check in: 3.00pm) \_\_\_\_\_

Departure date \_\_\_\_\_ Time (Check out: 12.00pm) \_\_\_\_\_

Other requests \_\_\_\_\_

All above-mentioned rates are per night and INCLUDE ALL TAXES, EXCEPT A CITY TAX OF 1.20 EUROS PER PERSON PER DAY.

BREAKFAST IS ADDITIONAL (Continental: 22 euros, American: 29 euros)

After the 15 April deadline, the Marriott Hotel will not guarantee the availability of rooms. Cancellation policy: 15 days prior to arrival.

Only those reservations guaranteed by a credit card will be honoured.

### Payment details

Please charge my credit card:  American Express  Visa  Mastercard  Diners

Card number \_\_\_\_\_ Expiry date \_\_\_\_\_

Name of card holder \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

**NOTE:** Please note that a block of rooms has been optioned for International Bar Association from 4 to 7 May 2005.  
Please contact the hotel directly for rates for other nights.



# About the International Bar Association

the global voice of the legal profession

In its role as a dual membership organisation, comprising 16,000 individual lawyers and over 190 Bar Associations and Law Societies, the International Bar Association (IBA) influences the development of international law reform and shapes the future of the legal profession. Its Member Organisations cover all continents and include the American Bar Association, the German Federal Bar, the Japan Federation of Bar Associations, the Law Society of Zimbabwe and the Mexican Bar Association.

Grouped into two Divisions – the Legal Practice Division and the Public and Professional Interest Division – the Association covers all practice areas and professional interests. It provides members with access to leading experts and up-to-date information as well as top-level professional development and network-building opportunities through high quality publications and world-class Conferences. The IBA's Bar Issues Commission provides its Member Organisations with substantive and social programmes at meetings and the IBA's Human Rights Institute works across the Association, helping to promote, protect and enforce human rights under a just rule of law, and to preserve the independence of the judiciary and the legal profession worldwide.

## **Legal Practice Division**

The Legal Practice Division (LPD) has a membership of over 12,500 legal professionals throughout the world. It has a particular focus on practices and procedures affecting business, financial and commercial activities internationally and was established to promote the discussion and exchange of information on key issues in all jurisdictions, and to actively respond to developments in the profession. There are 16 Sections within the Division and 50 specialist Committees, each addressing a specific area of law.

The LPD publishes *Business Law International*, a leading law journal devoted to issues of relevance to the international legal and academic community. Regular Newsletters are also produced by individual Committees, to keep members abreast of developments in each specialist field and containing in-depth articles written by some of the world's leading members of the profession. In addition, the LPD organises events around the world and makes a substantial contribution to the working programme at IBA Annual Conferences.

## **International Bar Association**

10th Floor, 1 Stephen Street, London W1T 1AT, United Kingdom

Tel:+44 (0)20 7691 6868 Fax:+44 (0)20 7691 6544

e-mail: [member@int-bar.org](mailto:member@int-bar.org)

[www.ibanet.org](http://www.ibanet.org)

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The organisers may at any time, with or without giving notice, in their absolute discretion and without giving any reason, cancel or postpone the Conference, change its venue or any of the other published particulars, or withdraw any invitation to attend. In any case, neither the organisers nor any of their officers, employees, agents, members or representatives shall be liable for any loss, liability, damage or expense suffered or incurred by any person, nor will they return any money paid to them in connection with the Conference unless they are satisfied not only that the money in question remains under their control but also that the person who paid it has been unfairly prejudiced (as to which, decision shall be in their sole and unfettered discretion and, when announced, final and conclusive).