

**CONFERENCE OF THE STATES PARTIES TO THE UNITED NATIONS  
CONVENTION AGAINST CORRUPTION, FIFTH SESSION  
Panama City, Panama, 25-29 November 2013**

**SPECIAL EVENT**

**ROUND TABLE ON POSSIBLE REGULATORY DEVELOPMENTS TO ENHANCE THE  
PRIVATE SECTOR ROLE IN THE FIGHT AGAINST CORRUPTION IN A GLOBAL  
BUSINESS CONTEXT**

**27 NOVEMBER 2013, 10 a.m. – 1 p.m. and 3p.m. - 6 p.m.  
ROOM LAGUNILLA**

**I. INTRODUCTION**

There is a major opportunity in the coming years for States and companies to make a very real impact in the fight against corruption if they are able to develop ways of working more closely together. This will involve a shift in perspective which would involve a deeper understanding of the contribution that companies can make.

Recent years have seen global companies recognise that they have a vital role to play and must work with national Governments and international institutions in the prevention and control of corruption. Companies are often on the front line in receiving demands for bribes. Experience has shown that a strong stance by a company can have a real impact.

The fight against corruption needs a close relationship between companies and States. There is a range of tools that can help States and companies work more closely together in the fight against corruption. Based on a preliminary analysis of regulatory options regarding incentives and disincentives, this one-day round table will bring together representatives from the private sector and Governments to identify concrete actions/solutions to encourage voluntary disclosure, self-reporting and active cooperation with law enforcement authorities by companies or diminish/remove disincentives to do so. The aim of the preliminary study is to encourage better cooperation between global companies and States (and international institutions) and to showcase possible avenues for a cooperative approach by States and companies that are trying to move towards zero tolerance of bribery.

**II. AGENDA**

This one-day round table for representatives from private sector and Governments will serve as a forum to discuss potential solutions and explore the possibility of eventual pilot projects with interested jurisdictions.

- 1. Welcome and introductions**
  - **B20- Massimo Mantovani**
  - **UNODC- Dimitri Vlassis**
  - **OECD- Nicola Bonucci**

## **2. Introduction of preliminary study**

- **Richard Alderman, Director, UK Serious Fraud Office, 2008-2012**

## **3. Themes for discussion**

- **How proactive should companies be with States when a corruption violation is discovered? For example what is the role of:**
  - **self-reporting**
  - **leniency**
  - **internal investigations**
- **What are the issues for States and companies in multi-jurisdictional enforcement of bribery legislation and asset forfeiture? For example:**
  - **Global and coordinated settlements**
  - **Collaboration between States under UNCAC and the OECD Convention in cases involving complex international corporate groups**
  - **How should States work together and resolve cases when one of them is the State where the bribery occurred?**
  - **How should the State where the bribery occurred obtain proper restitution?**
  - **Are companies at risk of multiple sanctions and asset forfeiture for the same act of bribery?**
  - **Is there a role for interim sanctions?**
- **Different means of Resolving cases? For example:**
  - **What experience do States have in using a high level of compliance by a company as a defence or mitigation?**
  - **What role should alternative means of resolving cases such as deferred prosecutions play?**

## **4. Conclusion and next steps**