

Appendices

Seminar Agenda

Day 1: Tuesday, 28 March 2006

9:00–10:30

Opening plenary

Welcome remarks:

R. Rathakirushnan, Director, Malaysia Anti-Corruption Academy

Opening remarks by the host:

Hon. Dato' Seri Mohamed Nazri Bin Tan Sri Abd Aziz, Minister in the Prime Minister's Department

Opening remarks and seminar overview by the Secretariat:

Raza Ahmad, ADB Coordinator, Asia-Pacific Anti-Corruption Initiative, Governance and Regional Cooperation Division, ADB

Frédéric Wehrlé, Coordinator Asia-Pacific, Anti-Corruption Division, OECD

Brief roundtable introduction of participants

10:30–12:00

Plenary I – International cooperation in corruption matters in the Asia-Pacific region: An overview of policies, initiatives, and applicable regional and international instruments in 25 countries

Introduction to the seminar: A brief presentation of mutual legal assistance and extradition in Asia-Pacific, including international initiatives and instruments, followed by discussion among participants

Presenters:

William Loo, Legal Analyst, Anti-Corruption Division,
OECD

Kimberly Prost, Chief, Legal Advisory Section, Treaty and
Legal Affairs Branch, UN Office on Drugs and Crime
(UNODC)

12:00–13:00 Lunch

13:00–14:45 **Breakout groups, session 1 – Thinking outside the box:
informal and alternative measures for mutual
cooperation and assistance**

Exploring forms of cooperation beyond formal bilateral
and multilateral arrangements, including assistance at law
enforcement level, civil procedures, letters rogatory, and
use of specialized bodies (financial intelligence units,
securities authorities, tax authorities)

Presenter:

Seehanat Prayoonrat, Acting Deputy Secretary-General,
National Counter Corruption Commission (NCCC),
Thailand

Moderator Group 1: Jean-Bernard Schmid, investigative
magistrate, Geneva, Switzerland

Moderator Group 2: Kimberly Prost, Chief, Legal Advisory
Section, UNODC

14:45–15:00 Coffee Break

15:00–15:30 **Breakout groups, session 1 – Report on breakout
groups' discussion (in plenary); Report by moderators on
breakout groups' discussions.**

15:30–17:15 **Breakout groups, session 2 – Overcoming legal
challenges**

**A: Overcoming legal challenges in mutual legal
assistance**

Examination of legal preconditions to MLA
(e.g., reciprocity, dual criminality, severity of the offense,
fishing expeditions) and grounds for denying assistance
(e.g., political offenses, capital punishment).

Presenter:

Kimberly Prost, Chief, Legal Advisory Section, UNODC

Moderator, Group 1: Bernard Rabatel, French liaison magistrate in the United Kingdom

Moderator, Group 2: Jean-Bernard Schmid, investigative magistrate, Geneva, Switzerland

Day 2: Wednesday, 29 March 2006

9:00–10.45

Breakout groups, session 2 – Overcoming legal challenges (cont'd)**B: Overcoming legal challenges in extradition**

Examination of legal preconditions to extradition and grounds for denying extradition

Presenters:

Mr. Umar Saifuddin Bin Jaafar, Deputy Public Prosecutor, International Affairs Division, Attorney-General Chambers, Malaysia

Mr. Tan Huanmin, Director, Department of Laws and Regulations, Ministry of Supervision, P.R. China

Moderator, Group 1: Charles A. Caruso, Regional Anti-Corruption Advisor, American Bar Association/Asia Law Initiative

Moderator, Group 2: Merceditas Navarro-Gutierrez, Ombudsman of the Republic of the Philippines

10:45–11:00

Coffee Break

11:00–11:30

Breakout groups, session 2 – Report on breakout groups' discussion (in plenary); Report by moderators on break-out groups' discussions

11:30–13:15

Breakout groups, session 3 – Working together and intensifying actions to strengthen MLA and extradition**A: Challenges and solutions in the practice of MLA**

Practical tips to deal with issues that arise in almost every request for MLA, such as delay, drafting of requests, form

and legality of evidence produced by a requested state, participation of the requesting state in the gathering of evidence, concurrent proceedings in the requested state, appeals.

Presenter:

Mr. Jean-Bernard Schmid, investigative magistrate,
Geneva, Switzerland

Moderator, Group 1: Kimberly Prost, Chief, Legal Advisory
Section, UNODC

Moderator, Group 2: Sean Mowbray, Mutual Assistance
Unit, Attorney-General's Department, Australia

13:15–14:15

Lunch

14:15–16:00

**Breakout groups, session 3 – Working together and
intensifying actions to strengthen MLA and extradition
(cont'd)**

**B: Challenges and solutions in the practice of
extradition**

Practical tips to deal with issues that arise in almost every
request for extradition, such as the preparation of
supporting evidence and required documentation, requisite
formalities, the use of liaison and coordination personnel.

Presenter:

Bernard Rabatel, French liaison magistrate in the United
Kingdom

Moderator, Group 1: Charles A. Caruso, Regional Anti-
Corruption Advisor, American Bar Association/Asia Law
Initiative

Moderator, Group 2: Hasan Saqib Sheikh, Deputy
Director, National Accountability Bureau, Pakistan

Moderator, Group 3: Gerry Osborn, Assistant Director of
Operations, Independent Commission against
Corruption, Hong Kong, China

16:00–16:30

Coffee Break

16:30–17:00 **Breakout groups, session 3** – Report on breakout groups’ discussion (in plenary); Report by moderators on breakout groups’ discussions

Day 3: Thursday, 30 March 2006

9:00–10:45 **Breakout groups, session 4 – Working cooperatively to trace, freeze, and repatriate the proceeds of corruption**

Specific challenges and solutions in tracing, freezing, recovering, and disposing of the proceeds of corruption

Presenter:

Sean Mowbray, Mutual Assistance Unit, Attorney-General’s Department, Australia

Moderator, Group 1: Hasan Saqib Sheikh, Deputy Director, National Accountability Bureau, Pakistan

Moderator, Group 2: Jean-Bernard Schmid, investigative magistrate, Geneva, Switzerland

Moderator, Group 3: Syed Noh Bin Syed Ahmad, Professor of Accounting, University Teknologi Mara

10:45–11:00 Coffee Break

11:00–11:30 **Breakout groups, session 4** – Report on breakout groups’ discussion (in plenary); Report by moderators on breakout groups’ discussions

11:30–12:15 **Plenary 2: Strengthening mutual legal assistance to curb transnational bribery**

Particular challenges in providing mutual legal assistance associated with transnational bribery

Presenter: Jean-Bernard Schmid, investigative magistrate, Geneva, Switzerland

12:15–13:30 Lunch

13:30–15:00 **Breakout groups, session 5 – Application of principles and solutions: A case study**

Analysis of a case study to review the principles and issues discussed in the seminar.

Moderator, Group 1: Kimberly Prost, Chief, Legal Advisory Section, UNODC

Moderator, Group 2: Jean-Bernard Schmid, investigative magistrate, Geneva, Switzerland

15:00–15:15 Coffee Break

15:15–16:15 **Breakout groups, session 5** – Report on breakout groups' discussion (in plenary); Discussion in plenary of the analysis of the case study; demonstration of request-writing tool

16:15–16:30 **Closing plenary**

Closing Remarks by Dato' Seri Zulkpli bin Mat Noor, Director General, Anti-Corruption Agency of Malaysia

Closing Remarks by the Secretariat of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific

List of Participants

Member Countries and Jurisdictions of the ADB/OECD Anti-Corruption Initiative for Asia and the Pacific

AUSTRALIA

Sean MOWBRAY
Mutual Assistance Unit
Attorney-General's Department

BANGLADESH

A.K.M. Abdul Awal MAZUMDER
Joint Secretary, Cabinet Division
Government of Bangladesh

Nur AHMED
Cabinet Division

Mohammad Shafiul ALAM
Joint Secretary and MDS, BPATC
Deputy National Project Director
BGD/04/002 - Developing Civil Service Capacity for 21st
Century Administration

Md. Abdus SABUR
Additional Secretary
Ministry of Establishment and National Project Director
BGD/04/002 – Developing Civil Service Capacity for 21st
Century Administration

CAMBODIA

Sitha SVAY
Under Secretary of State
Office of the Council of Ministers

In VIRACHEAT

Under Secretary of State
Office of the Council of Ministers
China, People's Republic of

TAN Huanmin

Director
Department of Laws and Regulations, Ministry of Supervision

ZHOU Congyuan

Foreign Affairs Department, Ministry of Supervision

COOK ISLANDS

Catherine Wi KAITAIA

Senior Crown Counsel
Crown Law Office

Martha HENRY

Crown Counsel
Crown Law Office

HONG KONG, CHINA

Gerry OSBORN

Assistant Director of Operations
Independent Commission against Corruption

Anoop GIDWANI

Senior Investigator
Independent Commission against Corruption (ICAC)

INDIA

Bhagwan Lal SONI

Deputy Inspector General of Police
Central Bureau of Investigation
Chandigarh Region

Pradip Kumar TRIPATHI

Director
Department of Personnel and Training

INDONESIA

Ika ISTAKARIANA
Auditor
Office of Inspector General
Ministry of Finance

Ridwan RIDWAN
Investigator
Office of Inspector General
Ministry of Finance

Andy ARON
Directorate for Treaties on Political, Security and Territorial
Affairs
Department of Foreign Affairs

JAPAN

Kohei SAKAI
Attorney
International Affairs Division, Criminal Affairs Bureau, Ministry of
Justice

Masakatsu MITANI
International Affairs Division, Criminal Affairs Bureau, Ministry of
Justice

KOREA, REPUBLIC OF

Cheol-kyu HWANG
Senior Prosecutor, Director of International Criminal Affairs
Division
Ministry of Justice

Song Won JEON
Public Prosecutor, Deputy Director of International Criminal
Affairs Division
Ministry of Justice

KYRGYZ REPUBLIC

Janybek BOKOEV
Deputy Head, Office of the President, Department of Law

Arstanbek TOLONOV

Public Prosecutor

Office of Public Prosecutor of the Osh Region

Legal Acts Implementation Supervision Department

Osh

MALAYSIA

Dato' Seri Mohamed Nazri bin Tan Sri Abd AZIZ

Minister in the Prime Minister's Department

Dato' Seri Zulkpli bin Mat NOOR

Director General, Anti-Corruption Agency of Malaysia

Rajaretnam RATHAKIRUSHNAN

Director

Malaysia Anti-Corruption Academy

Umar Saifuddin bin JAAFAR

Deputy Public Prosecutor

International Affairs Division

Attorney-General's Chambers

Samarajoo MANIKAM

Senior Assistant Commissioner

Anti-Corruption Agency

Syed Noh bin Syed AHMAD

Professor of Accounting

University Teknologi Mara

Shah Alam, Selangor

Zulqarnain HASSAN

Deputy Public Prosecutor

Legal and Prosecution Division

ACA Malaysia

Borhan OSMAN

Deputy Public Prosecutor

Legal and Prosecution Division

ACA Malaysia

Joyce BLASIUS
Deputy Public Prosecutor
Legal and Prosecution Division
ACA Malaysia

Radziah BASIR
Assistant Commissioner
Inspection and Consultancy Division

Ahmad SUHAIRI bin Mohd NOR
Senior Superintendent
Intelligence Division

Wan Ramli bin Wan ABDULLAH
Senior Superintendent
Intelligence Division

M. KANAKARAJA
Senior Superintendent
Investigation Division

Mohamad HASSAN
Senior Superintendent
Investigation Division

Azmi MOHD
Senior Superintendent
Malaysia Anti-Corruption Academy
Hishammudin bin Mohammed ESA
Superintendent

MONGOLIA

AMARJARGAL Amar
Officer
Law and Treaty Department
Ministry of Foreign Affairs

MUNKHTSETSEG Lodoi
Senior Specialist
Legal Policy Department
Ministry of Justice and Home Affairs

MUNKHBAT Chuluun

Deputy Prosecutor General of Mongolia
State General Prosecutor's Office of Mongolia

BATKHUYAG Jamiyandorj

Member of the State Great Hural
Member of Legal-Standing Committee

ZANDANSHATAR Gombojav

Member of the State Great Hural
Member of Environment, Food and Agriculture-Standing
Committee

MYAGMAR Nergui

Assistant to Member of Parliament Ochirkhuu

ENKHMANDAKH Munkhkhishig

Supervision Prosecutor
Strategic Planning and Foreign Affairs Department
State General Prosecutor's Office of Mongolia

NEPAL

Ranjan KRISHNAN ARYAL

Joint Secretary
Commission for the Investigation of Abuse of Authority

Mingmar LAMA

Superintendent of Police
Commission for the Investigation of Abuse of Authority

PAKISTAN

Iftikhar MEHDI

Director
National Accountability Bureau

Hasan Saqib SHEIKH

Deputy Director
National Accountability Bureau

PALAU, REPUBLIC OF

David FIFER

Legal Counsel
Ministry of Finance

Frederick REYNOLDS

Assistant Attorney General – Head of Financial Intelligence Unit
Ministry of Finance/Financial Institutions Commission

PAPUA NEW GUINEA

Matthew DAMARU

Detective Chief Inspector
National Fraud and Anti-Corruption Directorate, Royal Papua
New Guinea Constabulary

Camillus Jackob SAMBUA

Senior State Prosecutor

Molean KILEPAK

Principal Legal Officer
Department of Justice and Attorney General

PHILIPPINES

Merceditas NAVARRO-GUTIERREZ

Ombudsman
Office of the Ombudsman

Diosdado CALONGE

Special Prosecution Officer
Office of the Special Prosecutor

SAMOA

Gilbert WONGSIN

Manager
Central Bank of Samoa

SINGAPORE

Ang SEOW LIAN

Corrupt Practices Investigation Bureau (CPIB)

Raymond WEE KENG LOCK

Principal Special Investigator
Corrupt Practices Investigation Bureau (CPIB)

THAILAND

Seehanat PRAYOONRAT
Acting Deputy Secretary-General
Office of the National Counter Corruption Commission

Poravitch MAKARAVATANA
Public Prosecutor
Department of International Affairs
Office of the Attorney General

Sommanat JUASEEKON
Legal Officer
Ministry of Justice

VIETNAM

NGUYEN HUU Loc
Deputy Director General
Government Inspectorate of Vietnam

Observers

BHUTAN

Ugyen WANGDI
Legal Officer
Office of the Anti-Corruption Commission

LAO PDR

Langsy SIBOUNHEUANG
Vice Chairman
State Inspection Authority

MACAO, CHINA

VU Ka Vai
Advisor
Commission against Corruption

MINEIRO Ivo Donat Firmo
Chief Investigation Officer
Commission against Corruption

LEI Tong Leong
Investigation Officer
Commission against Corruption

SRI LANKA

Ameer ISMAIL
Chairman
Commission to Investigate Allegations of Bribery or Corruption

Piyasena RANASINGHE
Director General
Commission to Investigate Allegations of Bribery or Corruption

International Organizations and Experts

AMERICAN BAR ASSOCIATION/ASIA LAW INITIATIVE (ABA-ASIA)

Charles A. CARUSO
Regional Anti-Corruption Advisor
ABA-Asia, Bangkok, Thailand

THE ASIA FOUNDATION MONGOLIA

William Foerderer INFANTE
Representative
Ulaanbaatar, Mongolia

ASIA-PACIFIC GROUP ON MONEY LAUNDERING (APG)

Arun KENDALL
Executive Officer, Coordinator for the FATF/APG Joint Project
on Anti-Corruption/AML Issues

TRANSPARENCY INTERNATIONAL (TI)

Gillian DELL
Programme Manager
Transparency International Secretariat

UNITED NATIONS DEVELOPMENT PROGRAMME (UNDP)

Jak JABES

Practice Team Leader

Democratic Governance and Coordinator for Asia Pacific
Governance Programme

Regional Programme Coordinator – Governance

UNDP Regional Centre in Bangkok

Nojibur RAHMAN

Assistant Resident Representative (Programme) and Team
Leader

Governance Unit

UNDP Bangladesh Country Office

UNITED NATIONS OFFICE ON DRUGS AND CRIME (UNODC)

Kimberly PROST

Chief, Legal Advisory Section

Treaty and Legal Affairs Branch, Division for Treaty Affairs

UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT (USAID)

Kusumastuti SOEPARDJO

Project Management Specialist

Economic Growth Office

EXPERTS

Bernard RABATEL

French Liaison Magistrate

French Embassy

London, United Kingdom

Jean-Bernard SCHMID

Investigating Magistrate, Financial Section

Geneva, Switzerland

ADB/OECD Anti-Corruption Initiative for Asia and the Pacific Secretariat

Asian Development Bank (ADB)
Capacity Development and Governance Division
Regional and Sustainable Development Department
P.O. Box 789
0980 Manila, Philippines
Phone: +632 632 4444
Fax: +632 636 2444 / 636 2193

Kathleen MOKTAN
Director
Email: kmoktan@adb.org

Raza AHMAD
Capacity Development Specialist
Email: rahmad@adb.org

Marilyn PIZARRO
Consultant
Email: mpizarro@adb.org

Organisation for Economic Co-operation and Development
(OECD)
Anti-Corruption Division
Directorate for Financial and Enterprise Affairs
2, rue André Pascal
75775 Paris Cedex 16, France
Phone: +33 1 4524 9582
Fax: +33 1 4430 6307

Frédéric WEHRLE
Coordinator Asia-Pacific
Email: frederic.wehrle@oecd.org

Joachim POHL
Project Co-ordinator, Anti-Corruption Initiative for Asia-Pacific
Email: joachim.pohl@oecd.org

William LOO
Legal Analyst, Anti-Corruption Initiative for Asia-Pacific
Email: william.loo@oecd.org

