

## NEGOTIATED SETTLEMENTS IN BRIBERY CASES A PRINCIPLED APPROACH

**22 NOVEMBER 2019**  
**8:30AM**

Bocconi University  
Aula Perego  
via Sarfatti 25, Milano

### FOR INFORMATION

Bocconi University  
Angelo Sraffa Department  
of Legal Studies  
Tel. +39 02 5836.5208/5221

### ONLINE REGISTRATION

[www.unibocconi.it/eventi](http://www.unibocconi.it/eventi)

The event has been accredited  
by the Milan Bar Association for  
4 credit points.

Over the last few years there have been several initiatives in academia and practice that explore the normative frameworks and state of play of non-trial resolutions of bribery offences. In 2018, the International Bar Association published a report on Structured Settlements for Corruption Offences: Towards Global Standards with information about regulations and practices in 66 countries. Also in 2018, the Recommendation 6 Network published 'International Guidelines for Non-Trial Resolutions of Foreign Bribery Cases' – a set of principles drafted in support of a process toward more harmonized and functional enforcement. More recently, in 2019, the OECD published a report on 'Resolving Foreign Bribery Cases with Non-Trial Resolutions' for which 27 governments have contributed with facts about their enforcement systems. Significantly, in 2019 the OECD Working Group on Bribery has opened formal discussions based on the Recommendation 6 Network Draft Principles with member states on this important topic for the sake of developing best practice recommendations for governments.

On 22 November 2019, the Department of Legal Studies at Bocconi University will host a conference aimed at addressing the central issues of the book edited by Tina Søreide and Abiola Makinwa, *Negotiated Settlements in Bribery Cases: A Principled Approach*. It is a timely opportunity to present key findings and their relevance for the ongoing policy debate. Presenters will discuss their insights regarding the governance and normative frameworks for the use of settlements in cases of corruption and other sorts of profit-motivated crime. They will also delimit some effectiveness criteria and social implications of this approach to corporate crime enforcement. In addition, the conference attendees will reflect on problems and prospects of global standards for non-trial resolutions for bribery offences.

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**8:30AM**  
**REGISTRATION OF PARTICIPANTS**

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**9:00AM**  
**WELCOME ADDRESS**  
**MARCO VENTORUZZO**  
Head, Angelo Sraffa Department of Legal  
Studies, Bocconi University

**KEYNOTE SPEECHES**  
**DRAGO KOS**  
Chair, OECD Working Group on Bribery in  
International Business Transactions  
**NICOLA BONUCCI**  
Director for Legal Affairs, OECD

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**10:00AM**  
**FIRST SESSION NEGOTIATED SETTLEMENTS  
IN THE CONTEXT OF LAW ENFORCEMENT  
ACTION**

Chair  
**MARCO VENTORUZZO**  
Head, Angelo Sraffa Department of Legal  
Studies, Bocconi University

**NEGOTIATED SETTLEMENTS IN A  
BROADER LAW ENFORCEMENT CONTEXT**  
**MARK PIETH**

University of Basel and former Chair, OECD  
Working Group on Bribery in International  
Business Transactions

**PUBLIC/PRIVATE CO-OPERATION IN ANTI-  
BRIBERY ENFORCEMENT: NON-TRIAL  
RESOLUTIONS AS A PANACEA?**

**ABIOLA MAKINWA**  
The Hague University of Applied Sciences

**THE PATH OF FCPA SETTLEMENTS**

**BRANDON GARRETT**  
Duke University



Università  
Bocconi

ANGELO SRAFFA  
DEPARTMENT  
OF LEGAL STUDIES

## NEGOTIATED SETTLEMENTS IN BRIBERY CASES A PRINCIPLED APPROACH

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**11:30AM**

**SECOND SESSION NEGOTIATED  
SETTLEMENTS BETWEEN EFFICIENCY AND  
DETERRENCE**

Chair

**DONATO MASCIANDARO**

Director, BAFFI CAREFIN Centre for Applied  
Research on International Markets, Banking,  
Finance and Regulation, Bocconi University

**PROSECUTORS' DISCRETIONARY  
AUTHORITY IN EFFICIENT LAW  
ENFORCEMENT SYSTEMS**

**TINA SØREIDE**

Norwegian School of Economics

**THE DOJ'S ANTI-PILING ON POLICY: TIME  
TO REFLECT?**

**SHARON ODED**

Erasmus University Rotterdam

**INCENTIVES FOR SELF-REPORTING AND  
COOPERATION**

**LUCINDA LOW**

Steptoe & Johnson LLP

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**1:30PM**

**LUNCH**

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**2:30PM**

**THIRD SESSION NEGOTIATED  
SETTLEMENTS IN PRACTICE. SECURING  
DUE PROCESS**

Chair

**MASSIMO CERESA GASTALDO**

Bocconi University

**THE POTENTIAL PROMISE AND PERILS OF  
INTRODUCING DEFERRED PROSECUTION  
AGREEMENTS OUTSIDE THE US**

**JENNIFER ARLEN**

NYU School of Law

**CORPORATE COMPLIANCE AND  
PRIVATIZATION OF LAW ENFORCEMENT.  
A STUDY OF THE ITALIAN LEGISLATION IN  
THE LIGHT OF THE US EXPERIENCE**

**LEONARDO BORLINI**

Bocconi University

**SIMONE LONATI**

Bocconi University

**WHAT COUNTS AS A GOOD SETTLEMENT?**

**KEVIN E. DAVIS**

NYU School of Law

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**4:00PM**

**FINAL REMARKS**

**GIORGIO SACERDOTI**

Bocconi University, former Vice-Chair, OECD  
Working Group on Bribery in International  
Business Transactions and former Chair, WTO  
Appellate Body

