

THE GOVERNMENT OF THE RUSSIAN FEDERATION
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THE NATIONAL RESEARCH UNIVERSITY
HIGHER SCHOOL OF ECONOMICS

Faculty of Law
Public and Private International Law Department

Master Degree Curriculum
Year 1

Field of Education 40.04.01. – Jurisprudence
Detailed Field Law in International Trade, Finance and Economic Integration
Level Master Degree

INTERNATIONAL LEGAL REGULATION OF COUNTERING MONEY
LAUNDERING AND CORRUPTION

Course Syllabus

Author of the Course
Dr. Eduard Ivanov, Professor
(prof.e.ivanov@gmail.com)

Approved at the Public and Private
International Law Department
session

Natalia Y. Erpyleva
Department Head

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Economic Integration” session

Vladislav V. Starzhenetskiy
Academic Supervisor of Master
Program

“ ___ ” _____, 2017 (Protocol N__)

Moscow, 2017

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COURSE DESCRIPTION

The global system of international legal regulation of combating money laundering and financing of terrorism is barely 30 years old, but about 200 countries in the world now have AML/CFT legislation, which is largely derived from international agreements, such as the UN Conventions of Vienna and Palermo, and the FATF Standards. The common core of AML/CFT measures uses not only the criminal law, but also the regulation of relevant businesses and professions in order to prevent and combat money laundering and financing of terrorism at every stage. Lawyers, working at government agencies, banks, financial institutions, as well as advocates and notaries should have knowledge of international and national legal regulation of combating money laundering and financing of terrorism, understand the role of global regulation and national specifics. Russia is an important part of the international AML/CFT system, member of FATF, EAG, MONEYVAL, Egmont Group.

Due to the efforts of the UN and the OECD the international system of combating corruption was gradually formed. Not only public but also private sector is more and more involved in this process. During the last 10 years Russia has enacted legislation to implement provisions of UN and OECD conventions. Harmonization of AML/CFT and anti-corruption laws and regulations, developing compliance standards and guidance for business sector are important preconditions for cooperation, integration and investment protection in the Eurasian Economic Space.

The main objective of the proposed course is to familiarize students with norms of international law, norms of Russian and foreign legislation in the fields of countering money laundering, terrorist financing and corruption. They will also receive practical skills for implementing AML/CFT and anti-corruption compliance in financial institutions, public and private companies. The target audience is both students of the Master's Program "Law of International Trade, Finance and Economic Integration" and foreign exchange students.

The course is taught in English.

COURSE OBJECTIVES

The course main objectives comprise:

- analyzing general concepts of preventing and combating money laundering, financing of terrorism and corruption;
- study of the main international conventions on countering money laundering and corruption;
- study of the main international standards and guidance on AML/CFT and anti-corruption compliance (OECD, ICC, ISO, FATF)
- enhancing students' skills of application of international and national legal norms in the fields of preventing and combating money laundering and corruption;

- extending skills required for designing and implementing AML/CFT and anti-corruption compliance programs in companies and financial institutions.

DISTRIBUTION OF WORKLOAD

Table: Total hours against the self-study (extramural) hours broken down by the subject

№ №	Subject-Headings	Total hours	In-class hours, including		Self-study hours
			Lectures	Seminars	
1.	Transnational Organized Crime, Corruption and International Terrorism – Global Threats for International Peace and Security	9	2	2	5
2.	Money Laundering: the Main Models and Typologies	7	0	2	5
3.	Financing of Terrorism	7	0	2	5
4.	The International AML/CFT System	9	2	0	7
5.	FATF and FATF-style Regional Bodies	7	0	2	5
6.	Financial Intelligence Unit (FIU). Egmont Group	7	0	2	5
7.	Compliance in Financial Institutions and Companies. Organization of AML/CFT Compliance	12	2	0	10
8.	Business Game on Preventing Money Laundering	19	0	4	15
9.	International Legal Regulation of Countering Corruption	7	2	0	5
10.	Transnational Application of National Anti-Corruption Laws	12	2	0	10
11.	Legal Regulation of Countering Corruption in the Russian Federation	7	0	2	5
12.	AML/CFT and Anti-Corruption Compliance	7	0	2	5
13.	Anti-Corruption Compliance Management System	16	2	4	10
14.	Collective Action against	7	0	2	5

	Corruption				
15.	Business Game on Preventing Corruption	19	0	4	15
	Total:	152	12	28	112

TYPES OF KNOWLEDGE CONTROL

Self-study control:

- Work at seminars;
- Two business games (disclosure, analysis and legal assessment of money laundering and corruption cases in business sector).

Final control:

- Written exam – graded assessment of the level of acquired knowledge and developed skills during the Course. The exam will include written questions covering syllabus material, i.e. theoretical and practical dimensions (test).

METHOD OF INSTRUCTION

Classes are split into lectures and seminars. The course is based on the method of comparative legal analysis. Students will analyze norms of international law, international standards and guidance, national laws and judicial practices in Russia, USA, UK and other countries. The author also uses interdisciplinary approach. Students will discuss modern studies on terrorism, corruption, and money laundering conducted in legal and political sciences, economics, and criminology. Lectures on compliance will include particular aspects of management. Important role in the course will be played by case-study method based on the experience of law enforcement bodies from various jurisdictions, and compliance departments of multinational companies and financial institutions. Seminars are aimed at combining interactive methods and spontaneous individual and group debates on specified problem areas. The course includes two business games. During the games students will work in groups and apply their knowledge and skills in the practical situations.

LEARNING OUTCOMES

Students must get knowledge on:

- general international legal norms, standards and guidance on preventing and combating money laundering, financing of terrorism and corruption;
- the role of international organizations and groups: UN, Council of Europe, OECD, FATF, FSRB's, Egmont Group;

- implementation of international legal norms and standards in national laws and judicial practices;
- implementation of AML/CFT and anti-corruption compliance in companies.

Skills and abilities:

- to apply legal norms in the fields of preventing and combating money laundering and corruption;
- to design and implement AML/CFT and anti-corruption compliance programs in companies and financial institutions;
- to conduct due diligence, mitigate the risks of money laundering and corruption, identify suspicious transactions and conduct financial investigations.

Students should gain the following competences:

- ability to work with information (search, evaluate, use information, necessary for fulfillment of academic and professional tasks, from various sources, including application of the systematic approach);
- ability to carry out professional activities in the international environment;
- ability to search, analyze, and work with legally relevant information by using the juridical, comparative and other specific methods,
- ability to describe legal problems and situations in the fields of international legal regulation of countering money laundering and corruption.

CONTENT OF THE COURSE

SUBJECT 1.

Transnational Organized Crime, Corruption and International Terrorism – Global Threats for International Peace and Security

1. Global criminal market.
2. Transnational organized crime.
3. Money laundering: definition, goals and influence on the legal economy.
4. International terrorism.
5. Distinctive features of modern terrorism.
6. International legal framework of combating international terrorism.
7. The problem of responsibility of international terrorist organizations and states.
8. Cyberterrorism as a new challenge for international law.
9. Introduction to the study of corruption.
10. Corruption, transnational organized crime and terrorism.

Main reading:

UN Convention against Transnational Organized Crime 2000
<http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_eng.pdf>

Ivanov, E. (2012) Extension of International Jurisdiction over Crimes Committed by International Terrorist Organisations
<<http://www.hse.ru/data/2013/01/18/1305921211/08LAW2012.pdf>>

Saul B. (2011) Defining Terrorism in International Law, Oxford University Press, New York

Additional reading:

Booth, R., Farrell, S., Dastable, G., Yeo, N. (2011) Money Laundering Law and Regulation. A Practical Guide, Oxford University Press, New York

Estimating illicit financial flows resulting from drug trafficking and other transnational organized crimes. UNODC Research Report 2011
<http://www.petrusvanduyne.nl/files/UNODC%20Illicit%20financial%20flows%202011_web%20copy.pdf>

Holmes, L (ed.) (2010) Terrorism, Organized Crime and Corruption: Networks and Linkages, Edward Elgar Publishing Ltd, Cheltenham

Ivanov, E (2015) Combating Cyberterrorism under International Law // Baltic Yearbook of International Law, Volume 14. BRILL, Leiden

van Duyne, P.C. (2011) Transnational Organized Crime, Laundering and the Congregation of the Gullible
<<http://www.petrusvanduyne.nl/files/Afscheidsrede%20Valedictory.pdf>>

van Duyne, P.C. (2011) Forthcoming: Transnational organised crime: thinking in and out of Plato's cave. Handbook of transnational crime, Routledge

STL Appeals Chamber Interlocutory Decision on the applicable law: terrorism, conspiracy, homicide, perpetration, cumulative charging 16.02.2011 STL-11-01/I/AC/R176bis <<http://www.stl-tsl.org/en/the-cases/stl-11-01/rule>>

Links:

<http://www.petrusvanduyne.nl>

SUBJECT 2.

Money Laundering: the Main Models and Typologies

1. Main models of money laundering.
2. Definition and main elements of typologies.
3. Three groups of typologies.
4. Research of typologies in FATF and FSRB's.
5. Risk-based approach.
6. Misuse of cash-transactions.
7. Money laundering in insurance sector.
8. Misuse of real estate market.
9. VAT-fraud and money laundering.

10. Laundering of proceeds gained from illegal drug trafficking.
11. Laundering of proceeds gained from corruption offences.
12. Specifics of typologies in the Eurasian region.

Main reading:

Global Money Laundering and Terrorist Financing Threat Assessment
 Laundering the proceeds of VAT carousel fraud. FATF Typologies Report
 Laundering the Proceeds of corruption. FATF Typologies Report
 Money Laundering & Terrorist Financing through the Real Estate Sector. FATF
 Typologies Report
 Guidance on the Risk-based Approach to Combating Money Laundering and
 Terrorist Financing
All documents can be found on the FATF web-site: <http://www.fatf-gafi.org>

Additional reading:

Report on New Payment Methods
 Money Laundering & Terrorist Financing Vulnerabilities of Commercial Websites
 and Internet Payment Systems.
 Money Laundering Using Trust and Company Service Providers.
All documents can be found on FATF web-site: <http://www.fatf-gafi.org>

SUBJECT 3.
Financing of Terrorism

1. General overview of the financing of terrorism.
2. Typologies of the financing of terrorism.
3. Misuse of non-profit organizations.
4. Alternative remittance systems.
5. Cash-couriers.
6. Regional specifics.

Main reading:

UN Convention for the Suppression of the Financing of Terrorism
 <<http://www.treaties.un.org/doc/db/Terrorism/english-18-11.pdf>>
 International standards on combating money laundering, the financing of terrorism
 and proliferation (the FATF Recommendations)
 <<http://www.fatfgafi.org/media/fatf/documents/recommendations/pdfs/FATF%20Recommendations%20%28approved%20February%202012%29%20reprint%20May%202012%20web%20version.pdf>>
 FATF Terrorist Financing Typologies Report
 <<http://www.fatfgafi.org/media/fatf/documents/reports/FATF%20Terrorist%20Financing%20Typologies%20Report.pdf>>

Additional reading:

Guidance for financial institutions in detecting terrorist financing

<<http://www.fatf-gafi.org>>

Terrorism and international law: accountability, remedies and reform. A Report of the IBA Task Force on Terrorism (2011) Oxford University Press, New York

Williams, P. (2005) Warning Indicators, Terrorist Finances and Terrorist Adaptation. In: Strategic Insights, Vol. IV, Issue 1. Center for Contemporary Conflict. Monterey, California, USA

SUBJECT 4.

The International AML/CFT System

1. The Role of UN Convention 1988 in the establishing of international AML/CFT system.
2. Development of international AML/CFT system.
3. Structure of AML/CFT system.
4. The Role of UN-General Assembly and Security Council resolutions in countering money laundering and financing of terrorism.
5. Listing of terrorists and assets freezing.
6. Regional cooperation.
7. Cooperation with private sector. Obligations of financial institutions and designated non-financial businesses and professions.
8. Main problems and perspectives.

Main reading:

UN Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988 <http://www.unodc.org/pdf/convention_1988_en.pdf>

UN Convention for the Suppression of the Financing of Terrorism 1999 <<http://www.treaties.un.org/doc/db/Terrorism/english-18-11.pdf>>

UN Convention against Transnational Organized Crime 2000 <http://www.uncjin.org/Documents/Conventions/dcatoc/final_documents_2/convention_eng.pdf>

International standards on combating money laundering, the financing of terrorism and proliferation (the FATF Recommendations)

<<http://www.fatfgafi.org/media/fatf/documents/recommendations/pdfs/FATF%20Recommendations%20%28approved%20February%202012%29%20reprint%20May%202012%20web%20version.pdf>>

Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (2005)

<<http://conventions.coe.int/Treaty/en/Treaties/Html/198.htm>>

UN Security Council Resolution 1267 (1999) on 15 October 1999
<http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1267%281999%29>
UN Security Council Resolution 1904 (2009) on 17 December 2009
<http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1904%282009%29>
UN Security Council Resolution 1989 (2011) on 17 June 2011
<http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/1989%282011%29>
UN Security Council Resolution 2083 (2012) on 17 December 2012
<http://www.un.org/ga/search/view_doc.asp?symbol=S/RES/2083%282012%29>
Directive (EU) 2015/849 of the European Parliament and of the Council of 20 May 2015 on the prevention of the use of the financial system for the purposes of money laundering or terrorist financing <<http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32015L0849>>

SUBJECT 5.

The Financial Action Task Force on Money Laundering (FATF) and FATF-style Regional Bodies

1. Establishing and development of the FATF.
2. Structure of the FATF.
3. The FATF – standards and their impact on national laws.
4. Mutual evaluation process.
5. Non-cooperative countries and territories.
6. Research of typologies.
7. Prohibition of proliferation financing.
8. FATF-style regional bodies.

Main reading:

International standards on combating money laundering, the financing of terrorism and proliferation (the FATF Recommendations) <<http://www.fatf-gafi.org/media/fatf/documents/recommendations/pdfs/FATF%20Recommendations%20approved%20February%202012%29%20reprint%20May%202012%20web%20version.pdf>>

FATF Mandate 2012-2020 <<http://www.fatf-gafi.org/media/fatf/documents/FINAL%20FATF%20MANDATE%202012-2020.pdf>>

Agreement on the Eurasian group on combating money laundering and financing of terrorism (Moscow, June 16, 2011).

Agreement between the Government of the Russian Federation and the Eurasian group on combating money laundering and financing of terrorism on the conditions of stay of its secretariat in the territory of the Russian Federation (Paris, February 14, 2011)

Additional reading:

High level principles and objectives for FATF and FATF-style regional bodies
<<http://www.fatf-gafi.org/media/fatf/documents/High-Level%20Principles%20and%20Objectives%20for%20FATF%20and%20FSRBs.pdf>>

Links:

<http://www.fatf-gafi.org>
<http://www.apgml.org>
<https://www.cfatf-gafic.org>
<http://www.esaamlg.org>
<http://www.gafisud.info/>
<http://www.menafatf.org>
<http://www.eurasiangroup.org>

SUBJECT 6.
Financial Intelligence Unit (FIU). Egmont Group

1. Egmont Group's definition of Financial Intelligence Unit (FIU).
2. FIU in international conventions.
3. Types of FIU.
4. Goals of FIU.
5. Financial investigations.
6. Supervision.
7. Egmont Group and international cooperation.

Main reading:

Egmont Group Charter
Statement of purpose of the Egmont Group of 2004
Principles for Information Exchange between FIU's for Money Laundering and Terrorism Financing Cases of 2001
Interpretive Note Concerning the Egmont Definition of a Financial Intelligence Unit
Egmont Group Charter of 2007
Financial Intelligence Units, An Overview, 2004
<<http://www.imf.org/external/pubs/ft/FIU>>

Additional reading:

100 Cases from the Egmont Group
The Role of Financial Intelligence Units in Fighting Corruption and Recovering Stolen Assets

*All the Egmont Group's documents can be found on the Egmont web-site:
<http://www.egmontgroup.org>*

SUBJECT 7.

Compliance in Financial Institutions and Companies. Organization of AML/CFT Compliance

1. Compliance in companies: current trends and development.
2. Organization of AML/CFT compliance.
3. Identification of customer, representative of customer, beneficiaries and beneficial owners.
4. Risk assessment and mitigation.
5. Reporting obligations.
6. Listing of terrorists.
7. Assets freezing.
8. Rights of financial institutions.
9. Specifics of AML/CFT compliance in various sectors.

Main reading:

International standards on combating money laundering, the financing of terrorism and proliferation (the FATF Recommendations) <<http://www.fatf-gafi.org/media/fatf/documents/recommendations/pdfs/FATF%20Recommendations%20%28approved%20February%202012%29%20reprint%20May%202012%20web%20version.pdf>>

Additional reading:

Financial Action Task Force Guidance on transparency and beneficial ownership 2014

<<http://www.fatf-gafi.org/media/fatf/documents/reports/Guidance-transparency-beneficial-ownership.pdf>>

Financial Action Task Force Guidance: Politically Exposed Persons 2013

<<http://www.fatf-gafi.org/media/fatf/documents/recommendations/Guidance-PEP-Rec12-22.pdf>>

SUBJECT 8.

Business Game on Preventing Money Laundering

Main reading:

Operational Issues – Financial Investigation Guidance

<<http://www.fatf->

[gafi.org/media/fatf/documents/reports/Operational%20Issues_Financial%20investigations%20Guidance.pdf](http://www.fatf-) >

Federal Law No.115-FZ of August 7, 2001 on Countering the Legalization of Illegal Earnings (Money Laundering) and the Financing of Terrorism

Order No. 103 of the Federal Service for Financial Monitoring of the Russian Federation on Approval of Recommendations on Developing the Criteria for Revelation and Definition of the Unusual Transactions' Features, dated 8 May 2009

Additional reading:

Wolfsberg Standards – AML Principles and Statements

<<http://www.wolfsberg-principles.com/standards.htm>>

Anti-Money Laundering Toolkit (2012) The Law Society, London,

SUBJECT 9.

International Legal Regulation of Countering Corruption

1. UN conventions against corruption.
2. Regional conventions against corruption.
3. OECD convention.
4. Main directions of countering corruption.
5. OECD Working Group on Bribery.
6. International Anti-Corruption Academy.
7. International standards and guidance.

Main reading:

UN Convention against Corruption of 2003

<<http://www.unodc.org/unodc/en/treaties/CAC/>>

CE Civil law Convention on corruption, 1999

<http://www.eurasiangroup.org/international_conventions.php>

OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions of 1997

<<http://www.oecd.org/corruption/oecdantibriberyconvention.htm>>

OECD Council Recommendation on bribery and officially supported export credits

<www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=td/ecg%282006%2924&doclanguage=en>

Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions

<www.oecd.org/daf/anti-bribery/44176910.pdf>

Good Practice Guidance on Internal Controls, Ethics and Compliance

<<http://www.oecd.org/daf/anti-bribery/44884389.pdf>>

ISO Standard 37001 Anti-bribery management systems – Requirements with guidance for use

<https://www.iso.org/files/live/sites/isoorg/files/archive/pdf/en/iso_37001_anti_bribery_mss.pdf>

ICC Rules on Combating Corruption

<<https://cdn.iccwbo.org/content/uploads/sites/3/2011/10/ICC-Rules-on-Combating-Corruption-2011.pdf>>

ICC Guidelines on Gifts and Hospitality <<https://www.icc-austria.org/fxdata/iccws/prod/media/files/ICC%20Guidelines%20on%20Gifts&Hospitality.pdf>>

ICC Anti-Corruption Clause

<<https://cdn.iccwbo.org/content/uploads/sites/3/2012/10/ICC-Anti-corruption-Clause.pdf>>

Additional reading:

Recommendation of the OECD Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions of 26 November 2009

<<http://www.oecd.org/daf/anti-bribery/44176910.pdf>>

Recommendation on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions

<www.oecd.org/corruption/keyoecdanti-corruptiondocuments.htm>

OECD Principles for Integrity in Public Procurement

<www.oecd.org/gov/ethics/48994520.pdf>

ICC Anti-Corruption Third Party Due Diligence: a Guide for Small and Medium Size Entities

<<https://cdn.iccwbo.org/content/uploads/sites/3/2015/07/ICC-Anti-corruption-Third-Party-Due-Diligence-A-Guide-for-Small-and-Medium-sized-Enterprises.pdf>>

ICC Guidelines on Whistleblowing

<<https://cdn.iccwbo.org/content/uploads/sites/3/2008/06/ICC-Whistleblowing-Guidelines.pdf>>

SUBJECT 10.

Transnational Application of National Anti-Corruption Laws

1. Transnational application of national anti-corruption laws as a current trend in combating corruption.
2. US Foreign Corrupt Practices Act of 1977.
3. UK Bribery Act of 2010.
4. Anti-bribery policies in private sector under UK Bribery Act of 2010.
5. French anti-corruption law.
6. The role of US and UK anti-corruption laws in the global anti-corruption system.

Main reading:

UK Bribery Act of 2010 <<http://www.legislation.gov.uk/ukpga/2010/23/contents>>
Foreign Corrupt Practices Act of 1977, PL 95-213, Title 1; 91 Stat 1494, Dec 19, 1977 <<http://www.complianceonline.com>>

Additional reading:

Guidance about procedures which relevant commercial organizations can put into place to prevent persons associated with them from bribing (section 9 of the Bribery Act 2010) <<http://www.legislation.gov.uk>>

Bribery Act 2010: Joint Prosecution Guidance of the Director of the Serious Fraud Office and the Director of Public Prosecutions <<http://www.legislation.gov.uk>>

Liability of Legal Persons for Corruption in Eastern Europe and Central Asia. OECD Anti-Corruption Network for Eastern Europe and Central Asia Report 2015 <<https://www.oecd.org/corruption/ACN-Liability-of-Legal-Persons-2015.pdf>>

Links:

www.fcpa.us

<http://www.fcpablog.com/>

www.sec.gov/spotlight/fcpa.shtml

SUBJECT 11.**Legal Regulation of Countering Corruption in the Russian Federation**

1. Legal framework of countering corruption in the Russian Federation.
2. Criminal and administrative liability.
3. Obligations of public officials.
4. Declarations of incomes and assets.
5. The role of financial monitoring.
6. Obligations of organizations to prevent corruption.
7. Collective Action initiatives against corruption.

Main reading:

Criminal Code of the Russian Federation

Code of Administrative Offences of the Russian Federation

Federal Law of the Russian Federation No. 273-FZ dated December 25, 2008 On Counteraction to Corruption

Federal Law No. 274-FZ dated December 25, 2008 On Amendments to Certain Legislative Acts of the Russian Federation in Connection with the Adoption of the Federal Law On Counteraction to Corruption

Federal Law No. 280-FZ dated December 25, 2008 On Amendments to Certain Legislative Acts of the Russian Federation in Relation to Ratification of the UN Anti-bribery Convention dated October 31, 2003 and the Criminal Law Convention on Corruption dated January 27, 1999, and Adoption of the Federal Law On Counteraction to Corruption

Additional reading:

The Order of General Prosecution Office and Ministry of Interior dated 11 September 2013 No. 387/11/2 (List of corrupted offences No. 23)
Anti-Corruption Charta of Russian Business
<<http://ach.tpprf.ru/archive/Hartia/O%20Hartii/Hartiya%20-%20Eng.pdf>>

SUBJECT 12.
AML/CFT and Anti-Corruption Compliance

1. Corruption and money laundering.
2. AML/CFT and anti-corruption compliance: two approaches to regulation.
3. Common elements and main differences.

Main reading:

Laundrying the Proceeds of corruption. FATF Report 2011

<<http://www.fatf-gafi.org/media/fatf/documents/reports/Laundrying%20the%20Proceeds%20of%20Corruption.pdf>>

Ivanov E. (2017) “How much hard law is good for anti-corruption compliance” FSPA Blog post, 5 June

<<http://www.fcpablog.com/blog/2017/6/5/eduard-ivanov-how-much-hard-law-is-good-for-anti-corruption.html>>

Additional reading:

SUBJECT 13.
Anti-Corruption Compliance Management System

1. Ethical and legal framework of anti-corruption compliance.
2. Compliance beyond the law.
3. Designing and implementing anti-corruption compliance program.
4. Anti-corruption compliance management system.
5. Codes of business ethics.
6. Anti-corruption compliance programs.
7. Best practices in anti-corruption compliance.

Main reading:

ISO Standard 37001 Anti-bribery management systems – Requirements with guidance for use
<https://www.iso.org/files/live/sites/isoorg/files/archive/pdf/en/iso_37001_anti_bribery_mss.pdf>

Berenbeim, R. Universal Conduct: An Ethics and Compliance Benchmarking Survey. Research report R-1393-06-RR

<<http://community.hcca-info.org/HigherLogic/System/DownloadDocumentFile.ashx?DocumentFileKey=e201a71e-7650-43ac-8192-ec2b360c5213>>

Kroll and Ethisphere Institute. The Year of Global Expansion and Enforcement. 2016 Anti-Bribery and Corruption Report

<<http://www.employmentlawalliance.com/service-provider-alliance/kroll/Articles/2016-anti-bribery-and-corruption-benchmarking-report>>

PwC State of Compliance Study 2016. Laying a strategic foundation for strong compliance risk management

<<https://www.pwc.com/us/en/risk-assurance/state-of-compliance-study/assets/state-of-compliance-study-2016.pdf>>

Pieth, M. (2011) Harmonizing Anti-Corruption Compliance, Dike, Zurich/St. Gall.

Additional reading:

OECD Council Recommendation on bribery and officially supported export credits
<www.oecd.org/officialdocuments/publicdisplaydocumentpdf/?cote=td/ecg%282006%2924&doclanguage=en>

Recommendation of the Council for Further Combating Bribery of Foreign Public Officials in International Business Transactions

<www.oecd.org/daf/anti-bribery/44176910.pdf>

Recommendation on Tax Measures for Further Combating Bribery of Foreign Public Officials in International Business Transactions

<www.oecd.org/corruption/keyoecdanti-corruptiondocuments.htm>

OECD Principles for Integrity in Public Procurement

<www.oecd.org/gov/ethics/48994520.pdf>

Good Practice Guidance on Internal Controls, Ethics and Compliance

<<http://www.oecd.org/daf/anti-bribery/44884389.pdf>>

ICC Rules on Combating Corruption

<<https://cdn.iccwbo.org/content/uploads/sites/3/2011/10/ICC-Rules-on-Combating-Corruption-2011.pdf>>

ICC Anti-Corruption Third Party Due Diligence: a Guide for Small and Medium Size Entities

<<https://cdn.iccwbo.org/content/uploads/sites/3/2015/07/ICC-Anti-corruption-Third-Party-Due-Diligence-A-Guide-for-Small-and-Medium-sized-Enterprises.pdf>>

ICC Guidelines on Gifts and Hospitality

<<https://www.icc-austria.org/fxdata/iccws/prod/media/files/ICC%20Guidelines%20on%20Gifts&Hospitality.pdf>>

ICC Anti-Corruption Clause

<<https://cdn.iccwbo.org/content/uploads/sites/3/2012/10/ICC-Anti-corruption-Clause.pdf>>

ICC Guidelines on Whistleblowing

<<https://cdn.iccwbo.org/content/uploads/sites/3/2008/06/ICC-Whistleblowing-Guidelines.pdf>>

SUBJECT 14. **Collective Action against Corruption**

1. The concept of Collective Action.
2. Types of Collective Action initiatives.
3. Incentives for various stakeholders.
4. Main activities in the framework of Collective Action
5. Monitoring and evaluation.

Main reading:

Pith, M. (ed.) (2012) Collective Action: Innovative Strategies to Prevent Corruption, Dike, Zurich/St. Gall.

Additional reading:

Aiolfi, G. (2017) The value and importance of Collective Action, IBA Anti-Corruption Committee Law and Practice Report

<https://www.baselgovernance.org/sites/collective.localhost/files/publications/anti-corruption_report_may_2017.pdf>

Nero, W. (2016) Collective Action to tackle corruption

<https://www.baselgovernance.org/sites/collective.localhost/files/publications/eb6_baselgovernance_0.p>

Links:

<https://www.baselgovernance.org/>

SUBJECT 15. **Business Game on Preventing Corruption**

The role play is based on previously learned materials. The special materials for preparation will be distributed by the lecturer.

ASSESSMENT AND GRAIDING

A. Assessment

The overall course grade (10-point scale) is calculated as a sum of

$$G = 0,5 E + 0,2 BG1 + 0,2 BG2 + 0,1 S$$

The overall course grade G (10-point scale) includes results achieved by students in their exam (E), business game 1 (BG1), business game 2 (BG2) and seminars (S); it is rounded up to an integer number of points.

B. Grading

Grading rates:

Outstanding 9-10 points

Very good 7-8 points

Good 5-6 points

Satisfactory 3-4 point

Poor 1-2 points

Author of the course, Dr. Eduard Ivanov, Professor who has a solid academic background and many years of practical experience in combating money laundering, financing of terrorism and corruption. From 2002 to 2008 he worked as a head of various departments at Rosfinmonitoring (Russian Financial Intelligence Unit), from 2005 to 2008 he was Co-chair of the Working Group on Typologies at the Eurasian Group on combating money laundering and financing of terrorism (FATF-style regional body). Since 2002 Prof. Ivanov conducts trainings in AML/CFT for Russian and foreign companies and financial institutions.