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## **Third Training Workshop on « Investigation Techniques for Financial Crimes and Corruption »**

Kempinski Hotel Amman – Jordan

14-15 September 2015

**In cooperation with the “Arab Anti-Corruption and Integrity Network”**



**Programme**

## I. Introduction

Corruption crimes usually involve complex financial aspects and may include cross-border elements, which renders such crimes particularly specific given the nature of related evidence and the method, and the way in which they are examined and submitted. Investigating such crimes requires a range of specific skills, which are not normally used in the prosecution of other crimes. The United Nations Convention against Corruption (UNCAC), to which Jordan (2005) and Palestine (2014) are States Parties, calls for the criminalization of bribes and embezzlement in all their forms in the public and private sectors, of trading in influence, of abuse of authority and of illicit enrichment, as well as of a series of other crimes such as money laundering, concealment and obstruction of justice. The UNCAC also calls for the adoption of measures that facilitate investigation, filing a complaint and the conduct of a trial in connection with these crimes, as well as measures to facilitate assets recovery from criminal proceeds. The UNCAC also calls for the strengthening of legal and judicial cooperation in these areas between States Parties; which to date number 176.

In this context, the Embassy of France in Jordan and the Jordanian Anti-Corruption Commission (JACC) organized a training workshop entitled "Investigation Techniques for Financial Crimes and Corruption", with the participation of the Palestinian Anti-Corruption Commission (PACC) and the support of UNDP's Regional Project on Anti-Corruption and Integrity in the Arab countries (UNDP-ACIAC), and in coordination with the "Arab Anti-Corruption and Integrity Network" (ACINET). The training workshop was held in Amman on 14-15 September 2015 with the participation of around 40 public prosecutors and investigators specialized in corruption investigation, and officials from the Anti-Corruption Commissions in Jordan and Palestine, and other official institutions, oversight bodies and law enforcement agencies in both countries, in addition to specialized regional and international experts. This workshop came as a continuation of a series of training workshops, which took place in 2014 with the support of the Embassy of France in Jordan.

The training workshop was based on a methodology that comprises theoretical presentations, case studies and interactive discussions with a view to facilitate exchange and crystallize experiences. It aimed at enhancing participants capacity to investigate corruption crimes through (a) exploring more effective approaches and methods in this field which are adapted to international and national frameworks in force; (b) discovering tools available to identify and seize assets obtained through corruption; and (c) identifying relevant international cooperation mechanisms and stakeholders in this field.

### **General objective:**

Strengthen national capacities for the investigation of corruption crimes in the framework of a national integrated system aimed at strengthening integrity and anti-corruption.

### **Educational objectives:**

- Develop a strategy for investigation and adopt a methodology for corruption investigation, in line with national and international standards;
- Develop an ownership of tools aimed at the identification and seizure of criminal assets;
- Evaluate challenges and deepen knowledge of international mutual legal assistance tools.

### **Experts:**

- **H.E. Mr. Anouar Ben KHELIFA**, former Secretary of State in charge of Governance and Public Function, Director General at the Presidency of the Tunisian Government.
- **Mr. Charles DUCHAINE**, Judge, Director General of the Agency for the Management and Recovery of Seized and Confiscated Assets (l'AGRASC).

- **Mr. Jean-Yves LOURGOUILLOUX**, Assistant Public Prosecutor at the National Financial Prosecution, High Court of Paris.

## II. Programme

Day 1 Monday 14 September 2015	
08.30 – 09.00	Registration
09.00 – 09.45	<b>Opening Remarks</b>  <b>H.E. Dr. Abed KHARABSHEH</b> , President of the Jordanian Anti-Corruption Commission  <b>Mr. Olivier COURTEAUD</b> , First Counselor, Embassy of France in Jordan  <b>Mr. Yakup BERIS</b> , Regional Programme Coordinator, Regional Hub-Bureau for Arab States, UNDP  <b>H.E. Mr. Ashraf RIFI</b> , Chair of the “Arab Anti-Corruption and Integrity Network” (AICNET), Minister of Justice, Lebanon
09.45 – 10.00	Coffee Break
Introduction: national and international anti-corruption strategy, which instruments?	
10.00 - 10.30	Presentation of international instruments (Merida Convention) and national instruments in Tunisia: structure of administrations, courts, investigation departments... Strategies put in place among institutions.  <b>Mr. Anouar Ben KHELIFA</b>
10.30 - 11.00	Presentation of national instruments in France: idem and in particular <ul style="list-style-type: none"> <li>- Specialised courts (different levels): inter-regional specialised courts, National Financial Prosecution</li> <li>- Financial Intelligence Unit (FIU)</li> <li>- Specialization and structure of departments: investigators, specialized assistants</li> <li>- The Central Service for the Prevention of Corruption</li> </ul> <b>Mr. J-Y LOURGOUILLOUX</b>
11.00 - 11.30	Session on investigation strategy: <ul style="list-style-type: none"> <li>- Refresher on financial and corruption offenses, and money laundering</li> </ul> “Means” of offences, “subject” of offences, and “consequence” of offences

	<p>Means of offences: forgery (especially false invoices), misuse of public assets</p> <p>Subject of offences: bribery, trading in influence (primary)</p> <p>Favoritism (subordinate)</p> <p>The notion of criminal organizations and organized gangs</p> <p>Consequences of offenses: concealment, money laundering, illicit enrichment</p> <p><b>Mr. Charles DUCHAINE</b></p>
11.30 - 12.00	<b>Coffee Break</b>
12.00 - 12.45	<p>- The particularities of corruption investigations and methodology</p> <p>Data collection: anonymous letters, whistleblowing, exposure by the Financial Intelligence Unit. Internal cooperation between departments (cooperation with the tax authority, the court of audit, different state departments and administrations...)</p> <p>Documentation: collection of documents, during searches for example, before interrogation</p> <p>The international dimension of investigation (only mention briefly as the topic will be discussed in day 2)</p> <p><b>Mr. J-Y LOURGOUILLOUX</b></p> <p><b>Mr. Charles DUCHAINE</b></p>
12.45 - 13.00	<p>Searching for evidence; issues related to proprietary rights and bank secrecy; other types of evidence (interviews, telephone interceptions, searches, tracing ...)</p> <p><b>Mr. J-Y LOURGOUILLOUX</b></p> <p><b>Mr. Charles DUCHAINE</b></p>
13.00 - 13.45	<p>Identification and seizure of criminal assets</p> <p><b>Mr. Anouar Ben KHELIFA</b></p> <p><b>Mr. Charles DUCHAINE</b></p>
13.45 – 14.30	<p>Practical case study 2</p> <p>(15 minutes for preparation and 30 minutes for presentation of results)</p>
14.30	<b>Lunch</b>

Day 2	
Tuesday, 15 September 2015	
Session on International Mutual Legal Assistance	
09.00 – 10.00	Tools and Conventions <b>Mr. Anouar Ben KHELIFA</b>
10.00 – 10.30	Formal and informal cooperation Recognition of decisions issued by other countries <b>Mr. J-Y LOURGOUILLOUX</b> <b>Mr. Charles DUCHAINE</b>
10.30 – 11.30	Practical case study 1 (preparation)
11.30 – 12.00	Coffee Break
12.00 – 13.30	Practical case study 1 (presentation) - continued
13.30 – 14.00	Discussion with the audience and questions
14.00 – 14.30	Workshop conclusions Awarding of certificates
14.30	Lunch

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