



Russia + CIS countries

high corruption - high risks - enormous opportunities

Do successful business - without Corruption

◆ **Learn to deal with frequent Dangers & Risks - once you start bribing:**

- Extortive tax claims + extortive inspections
- Illegal pressures to hand over assets, factories
- Blackmail, protection money demands, conflict settlement by “Kalashnikov”?
- What happens if „your partner“ falls sick?
- Once you pay a bribe – many friends of your bribe taker will ask for „their share“
- Have you budgeted extra demands?

◆ **General risks of corruption in CIS & Russia**

- Contracts might not be valid + enforceable
- New tight global legal frameworks - UK, US, money laundering – impacting your business
- Competitors – can sue you for damages
- Personal liability of management – even if a bribe is paid by agents, consultants abroad
- Your big suppliers might stop deliveries

Speakers

Elena Panfilova, Transparency International, Moscow
Helge Masannek, Tax expert, RUSSIA CONSULTING, Moscow
Anna Maximénko, Partner, Debevoise & Plimpton, Moscow
Falk Tischendorf, Attorney-at-law, Beiten Burkhardt, Moscow
Max Burger-Scheidlin, ICC Austria, Vienna

Wednesday, 6th May 2015 - 9 a.m. – 6 p.m.

Fleming's Hotel Wien-Westbahnhof, Neubaugürtel 26-28, 1070 Vienna, Austria

Additional events
... the next days

May 7th / 8th, [Corruption: Is your contract valid?](#)

May 8th / 9th, [Corruption: Is your contract enforceable in arbitration & litigation?](#)

Target Group

- ◆ Compliance Officers
- ◆ Anti-corruption experts
- ◆ In-house legal counsels
- ◆ Controller, Internal Revision
- ◆ Risk Manager
- ◆ Export + Import Managers
- ◆ Human resources
- ◆ Lawyers + tax experts

Background & Objective

Corruption – must you pay – to play ?

Business in CIS countries remains strong, Russian business will not stop due to the present short-term hick-ups. New global legislation based on the UN Convention against Corruption has changed the global landscape. Everywhere corruption is forbidden – although it de facto remains endemic in many countries.

What is new:

- A bribe in favour of a public official in one country – can now be prosecuted in many others
- Even if the local public prosecutor does not “bite” – prosecutors in other jurisdictions might/will
- the “ultimate beneficiary” is always responsible for actions of all middlemen + is personally liable
- Your contract might not be valid + enforceable
- a losing competitor - can sue you for damages
- Organized crime is “grateful” for new opportunities to blackmail bribe givers & takers

Once you start bribing - ...you pay ...and pay ...and pay...

Learn

- how to position yourself such, that potential solicitors of a bribe - do not dare to ask
- how to change the parameters of a project – that bribe demands are less likely
- how to counterattack demands for bribes
- how to recognize weaknesses of possible bribe solicitors - and use them in your favour
- change your in-house strategies to reduce attacks

Speakers/Speaker

Elena Panfilova, Director General, Center for Anti-corruption Research, Moscow and Director General of Transparency International, Moscow, Specialist in corruption modi operandi and anti-corruption measures

Helge Masannek, Group Director Tax & Legal, RUSSIA CONSULTING Group, Moscow; German qualified lawyer with many years' experience in advising western companies in Russia + CIS; emphasis on tax law and market entry issues.

Anna Maximénko, senior associate, Debevoise & Plimpton, Moscow; her practice focuses on M&A, general corporate advice, antitrust, data protection and regulatory issues, including insurance and healthcare.

Falk Tischendorf, Attorney-at-law and Managing Partner of Beiten Burkhardt's Moscow office and Head of the Compliance - Working Group at the German-Russian Chamber of Foreign Trade

Max Burger-Scheidlin, Executive Director, ICC Austria, specialized on import-export, prevention of corruption, counterfeiting, commercial crime; speaker in CIS, Asia, Middle East, lecturer at 4 universities, co-author of 12 books

Bettina Knötzl, Partner, WOLF THEISS Rechtsanwälte, Vienna, Chair of the Advisory Board, Transparency International Austrian Chapter.

Martin Kreutner, Dean and Executive Secretary of the International Anti-Corruption Academy

Programme

<p>Risks of corruption</p> <ul style="list-style-type: none"> - what are the key risks – short + long term – analysis of problematic situations - uncertainties created for bribe givers – and bribe takers 	<p>Burger-Scheidlin B. Knötzl M. Kreutner</p>
<p>Corruption in Russia</p> <ul style="list-style-type: none"> - analysis of short and long-term corruption related risks - Methods of solicitation e.g. - Financing via e.g. a company in Luxemburg - Risks of blackmail, protection money - Involvement of officials and politicians - Company to company corruption - Legal cases + practice 2014 - Legal initiatives 2015 	<p>E. Panfilova A. Maximénko</p>
<p>Dangers & Risks abound - once you start bribing</p> <ul style="list-style-type: none"> - once you pay a bribe – many friends of your bribe taker will ask for „their share“ - extortive tax claims - extortive inspections - illegal imports – short term savings, long term risks - illegal pressures to hand over assets, factories increase - your own employees might „demand“ their extra share - have you budgeted extra demands? - What happens if „your partner“ falls sick? - accounting & bribes – intransparent accounting, tax risks, administrative + criminal penalties 	<p>A. Maximénko E. Panfilova H. Masannek</p>
<p>Risk Assessment</p> <ul style="list-style-type: none"> - Are the risks calculated over the whole project duration? - Can you stay in control? - Is it worthwhile to go ahead with a project? 	<p>E. Panfilova</p>
<p>Prevention – homework in your home country</p> <ul style="list-style-type: none"> - Clear “tone from the top” - Clear responsibility for whole supply chain – to final customer 	<p>Burger-Scheidlin</p>
<p>Screening of Russian Business Partners</p> <ul style="list-style-type: none"> - due diligence checks – who is your partner, agent, consultant – his associates & „friends“ - What should definitely be checked when vetting & screening Russian business partners; - „hidden agendas“ of your partner - Who feels disturbed by your project? – will he attack? - Application of US-FCPA, UK Bribery Act and Russian legislation in the screening process - Sanctions & Embargoes - procedure of screening Russian business partners - Can effective screening reduce negative legal consequences – if a partner becomes corrupt? - Avoiding sham companies – due diligence requirements of the Russian tax authorities 	<p>F. Tischendorf A. Maximénko E. Panfilova H. Masannek</p>
<p>Prevention</p> <ul style="list-style-type: none"> - Does the bridging of the cultural gap reduce corruption? - How to become an “insider” without becoming corrupt? 	<p>E. Panfilova A. Maximénko</p>
<p>Prevention of Risk, Blackmail and Corruption - how to minimize risks in advance</p> <ul style="list-style-type: none"> - How to structure a project – so that attacks are less likely? - Small attacks by customs and lower ranking officials - Attacks by purchasing manager of the local importer - Larger attacks by the politically powerful - Larger attacks by organised crime - Conflict settlement by “Kalashnikov”? 	<p>E. Panfilova</p>

“Planned” Inspections + “Dawn Raids” of companies/banks - by Russian Authorities - Who can inspect companies in Russia - when & how often? - In-house-rules for employees to follow - when the company is being inspected	F. Tischendorf
Prevention and detection of fraud + corruption in subsidiaries - Red Flags in accounting - Implementation of Internal Control Systems - prevent slush funds	H. Masannek
How to deal with attacks - From local insiders (managers) - who try to “steal” your company? - How to prevent outside attacks (mafias, corrupt bank), wanting to take over your company?	E. Panfilova A. Maximénko
Using Russian & CIS laws + Courts to counterattack demands for bribes - Counterattacks through effective use of courts	A. Maximénko
New Regulations on Disclosure of Information to Russian Authorities + Banks - How can new disclosure rules help your anti-corruption drive? - What information needs to be disclosed - in what situations - Repercussions of not disclosing the requested documents	F. Tischendorf
Negotiation tactics - Strategic preparation - before the first negotiations - Verbal counterattack against solicitation	Burger-Scheidlin
Whistleblowing - Can public or company "whistleblower" programs work in Russia?	F. Tischendorf
Minimizing government penalties – through compliance systems - Are anti-corruption efforts of companies recognized – to reduce penalties? - Cooperation with the public prosecutor – what can be expected	F. Tischendorf
Change-management - from “we have bribed in past” – to – “Clean business in future”	Burger-Scheidlin
Panel discussions	All speakers

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- import-export contracts, Incoterms, International trade terms and conditions,
- Dispute prevention, dispute resolution and arbitration
- Prevention of corruption, commercial crime, counterfeiting, investment fraud, shipping fraud
- International negotiations in the light of cross cultural differences

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659	ENG	ICC Model Turnkey Contract for Major Projects	75,00
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664	ENG	ICC Model Confidentiality Agreement	40,00

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Registration Form

Mail or Fax to:

Mrs. Cennet Kacan
ICC Austria

@ mail: c.kacan@icc-austria.org

☎ Tel.: +43-1-504 83 00-3718

☎ Fax: +43-1-504 83 00-3703

responsible for the content: **Mrs. Doris Feichtl**

further [ICC Austria conferences and courses](#):

- **Corruption: Is your contract valid?**
 May 7th / 8th, Vienna
- **Corruption: Is your contract enforceable in arbitration & litigation?**
 May 8th / 9th, Vienna
- **RUSSLAND – Transport, Zoll, Zertifizierung u. E-Commerce**
 June 18th, Vienna

For further details please visit: www.icc-austria.org

Registration ICC CZ

Russia + CIS countries – Do successful business – without Corruption

May 6th, 2015 - 9 a.m. – 6 p.m.

Fleming's Hotel Wien-Westbahnhof
 Neubaugürtel 26-28, 1070 Vienna, Austria

I agree that my name/address is registered electronically by ICC Austria who will inform me about further programs via e-mail

Participation fee:

incl. Seminar documentation,
 Coffee break, Lunch

€ 590,00 + 20% VAT

Closing date:

4 working days before

**Get 4% early booking discount
 if you book until 01.04.2015**

**Please be advised that your registration is already valid with the written confirmation!
 The fee must be paid verifiably before the early bird expires or closing date!**

Participant Information

Family Name: First Name: Mr. Mrs.

Organisation / Company:

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Postal Code, City:Country:.....

E-Mail:Telephone: Fax:

Job Title / Position :

Invoice data

Organisation / Company:

VAT Number (obligatory for invoicing for European participants):

Address:

Postal Code: City:.....

Country:

Cancellation Policy:

A full refund will only be given for cancellations received up to 14 working days before the event. Cancellations must be made in writing. Should you be unable to attend you can nominate a colleague as replacement

.....
 Date

.....
 Signature