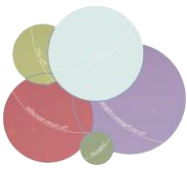
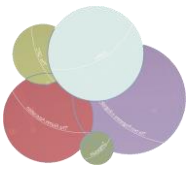


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| MODULE | Integrity and Anticorruption in Public Procurement |
| LECTURER | Mr. Rohan Schaap, Director – investigations, European Bank for Reconstruction and Development Assisted by: Mr. Chiawen Kiew, Associate Director, EBRD Ms. Stana Maric, Principle, EBRD |

| Day 1 | |
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| <p>Welcome</p> <ul style="list-style-type: none"> • Welcome from Office of the Chief Compliance Officer, of the European Bank for Reconstruction and Development • Questions we will address (brief discussion) <ul style="list-style-type: none"> ○ How do international organisations approach integrity issues in procurement? ○ Does integrity matter when selecting a contractor? ○ How can we select for integrity? What standards can we apply? • Outline for the course (May 25-26) | Rohan Schaap |
| <p>Introductory Discussion on Debarment</p> <ul style="list-style-type: none"> • Debarment as the primary sanction for misconduct <ul style="list-style-type: none"> ○ What is debarment? ○ How is it implemented? ○ Is it effective? • Discussion point: What are the pros and cons of debarment? <ul style="list-style-type: none"> ○ Is debarment a <i>ex post</i> or an <i>ex ante</i> control? (i.e., is it too reactionary) ○ What effect does debarment have on competition? ○ Is debarment biased against companies from countries with poor integrity capability? • Discussion point: What are other potential ways to sanction for misconduct in projects? | Rohan Schaap |
| <p>Overview of EBRD Compliance and Procurement</p> <ul style="list-style-type: none"> • Introduction to EBRD • EBRD Compliance Function • EBRD’s Enforcement Policy and Procedures • EBRD’s Prohibited Practices • Compliance and Procurement at EBRD <ul style="list-style-type: none"> ○ EBRD’s Covenant of Integrity ○ Application of EBRD’s EPPs to sub-contractors ○ Application of EBRD’s Enforcement Policy and Practice to national procurement exercises | Rohan Schaap |



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| BREAK | | |
| <ul style="list-style-type: none"> • Break-out exercise: Potential examples of Prohibited Practices in Procurement and Procurement Controls as a preventative mechanism • Class presentations and discussion on examples of Prohibited Practices and controls to prevent | | Rohan Schaap & Class |
| The Investigative Process <ul style="list-style-type: none"> • Reporting and processing complaints of Prohibited Practices • The Investigation Process <ul style="list-style-type: none"> ○ Show Cause Letters ○ Interviews ○ Document Requests • Suspensions / Temporary measures • [Confidentiality and Whistleblowing Protection] (time permitting) • Referrals to and Cooperation with National Authorities | | Stana Maric & Rohan Schaap |
| Enforcement Outcomes <ul style="list-style-type: none"> • Enforcement Actions and Investigative outcomes • Declinations • Improving Compliance through an Integrity Monitor • Systemic Improvements to Strengthen the Procurement Function | | Chiawen Kiew & Rohan Schaap |
| <ul style="list-style-type: none"> • The Role of the EBRD Enforcement Commissioner and Enforcement Committee | | Rohan Schaap with Paul Kearney |
| <ul style="list-style-type: none"> • Individual Research Exercise: Task to identify equivalent Prohibited Practices in national law and the agencies responsible of their enforcement. | | Rohan Schaap |



| Day 2: | |
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| <ul style="list-style-type: none"> • Student Presentation and discussion: examples of Prohibited Practices in national context and enforcement of Procurement Crime. • How effective is national enforcement. • US, UK and EU prosecution and enforcement of procurement crime. | Rohan Schaap & Class |
| <ul style="list-style-type: none"> • MDB Cross Debarment Regime <ul style="list-style-type: none"> ○ How it works ○ Implication for EBRD funded procurements ○ Debarment lists | Rohan Schaap |
| <ul style="list-style-type: none"> • Detailed Case Study: Investigation in Public Sector Procurement | Chiawen Kiew & Rohan Schaap |
| <ul style="list-style-type: none"> • Rule 2.6 and 2.7 Application of EBRD's Procurement Policy and Rules • National, Regional and other Sanctions | Stana Maric & Rohan Schaap |
| <ul style="list-style-type: none"> • Prohibited Practices and National Procurement Personnel <ul style="list-style-type: none"> - Jurisdiction - Whistleblowing - Cooperation - EBRD Approach - Ring-fencing of staff | Rohan Schaap |
| <ul style="list-style-type: none"> • Wrap-up | Rohan Schaap Chiawen Kiew Stana Maric |