

***Development of New Counterterrorism Legislation in Malaysia:*** During the week of October 31, in Kuala Lumpur, Malaysia, the OPDAT RLA to Malaysia, an Office of International Affairs (OIA) Trial Attorney, and Counterterrorism Section Trial Attorney worked with Malaysian legislative drafters and prosecutors on the development of new counterterrorism legislation to replace Malaysia's repressive Internal Security Act. In a few short years, Malaysia's foreign policy stance toward the United States has transformed dramatically – from an extremely adversarial posture to the current cooperation that includes the public announcement last month that Malaysia will look to the US (and UK and others) for guidance on how to reform their laws on counterterrorism and freedom of assembly. Malaysia's Attorney General has included DOJ legal experts in the dialogue on new counterterrorism legislation, inviting the DOJ team to speak with his legislation drafters, senior management of his prosecution division, Attorney General's Chambers consultative body of former justices and bar members, as well as with law school deans and counterterrorism police officers from the Royal Malaysian Police Special Task Force. The new terrorism legislation is still in its formative stages, but the work last week facilitated detailed discussions on drafting a good conspiracy law; defining terrorism; developing court rules to protect classified sources and methods; and criminalizing or not membership in a terrorist group or receipt of jihad training; and effectively using cooperating witnesses, plea bargaining, and wiretap evidence. This effort is part of the OPDAT RLA's assistance program in Malaysia.

***Promising Judicial Dialogue Among Federal Judges from Mexico, Colombia, Brazil, and the US to Improve Handling of International Money Laundering and Asset Forfeiture Cases:*** A judicial dialogue among federal judges from Mexico, Colombia, Brazil, and the United States, held October 24-31 in Washington, DC, resulted in commitments from all four countries to work together to improve the administration of justice in money laundering and asset forfeiture cases. This dialogue, put together by an OPDAT RLA to Mexico and an Asset Forfeiture and Money Laundering Section (AFMLS) Senior Trial Attorney, came about in response to judges voicing their view that they encounter difficulties with the enforcement of asset forfeiture and money laundering orders issued by judges from other countries, particularly those with which they share borders. The judges worked collaboratively to further the international dialogue and begin work on a model judicial order for international money laundering and asset forfeiture cases. Following a welcome by a Criminal Division Deputy Assistant Attorney General, the judges had meetings with an Office of International Affairs (OIA) Associate Director, OPDAT Program Manager, and the AFMLS Deputy Chief. The judges then met together over the next several days (including all day Saturday) to begin drafting the model order, as well as a dictionary of terms specific to these topics in all three languages (Portuguese, Spanish, and English). The judges have agreed to continue to meet in each of their respective countries to further develop the model order. The next meeting will be hosted by Brazil. At the conclusion of the trip, the judges universally expressed the importance of this novel multinational dialogue and explained that they gained a new understanding of the importance to anticipate the effect of their orders in the international arena.

***Second Annual Victims' Rights Week held in Kosovo:*** During the week of October 24, the OPDAT RLAs to Kosovo worked with the Government of Kosovo (GOK) to successfully launch the Second Annual Victims' Rights Week in three Kosovo cities. These events represent the results of an ongoing partnership among OPDAT, US Attorney's Office – Eastern District, North Carolina (EDNC), DOJ's Office for Victims of Crime, and the GOK. Following participation in US annual observances, the GOK took ownership of the idea and activities and hosted this second annual event commemorating victims' rights. This year's speakers included the Acting Director of DOJ's Office for Victims of Crime; a Victim-Witness Coordinator USAO-EDNC; US Embassy Deputy Chief of Mission; and a Kosovar domestic violence victim. Domestic violence is common in Kosovo but has long been considered a family issue that is not discussed outside the home. That a Kosovar victim of domestic violence would speak publically on this topic demonstrates the tremendous strides made by OPDAT working collaboratively with the GOK and the EDNC to highlight this issue and gain recognition that domestic violence is a crime, not a family matter. Other USG speeches highlighted best practices and OPDAT priorities, including urging the GOK to use plea bargaining so victims can avoid the trauma of a trial, requiring restitution as part of

any sentence, using asset forfeiture to compensate victims, and the need for victims to be able to allocate at sentencing.

***OPDAT-OIA Program on International Assistance Held in Tirana, Albania:*** On October 24, OPDAT and the Criminal Division's OIA joined forces to conduct a weeklong program in Tirana, Albania, on international assistance for prosecutors from Albania, Kosovo, and Montenegro. The program was designed to teach these international counterparts the requirements for obtaining extradition and mutual legal assistance from the United States. Representatives from all Albanian agencies involved in requests for international assistance attended, including the Prosecutor General's Office, Ministry of Justice, Ministry of Foreign Affairs, Albania's Interpol representative, and the State Advocate's Office. After the initial two and one half days of training, OIA representatives met with Albanian prosecutors to discuss ways to remedy deficiencies in pending extradition cases. A Senior Policy Advisor in the International Division, UK's Crown Prosecution Service, also attended the training and discussed with OPDAT RLAs to Albania ways to provide joint training to Albanian prosecutors. The OIA instructors traveled to Sarajevo to conduct similar training the next week.

***First Ever Program on Combating Public Transit Crimes in El Salvador:*** From October 18-21, at the International Law Enforcement Academy (ILEA) in San Salvador, El Salvador, OPDAT conducted a pioneering workshop on combating crime involving public transit (buses), such as robberies of passengers and the extortion and murder of bus drivers and operators. The workshop, which had over forty participants from Mexico, El Salvador, Honduras, and Guatemala, was the first known workshop to address a major crime problem in that region. For example, in 2010, in El Salvador, a bus was set on fire while passengers were still onboard, resulting in over ten deaths; in addition, many bus drivers in El Salvador have been murdered. The trainers included an OPDAT Program Manager, FBI agents, and a retired New York Police Department transit police official who has had over thirty years experience addressing transit-related crime.

***RLA Participates in Program on Cybercrime and Intellectual Property in Moscow:*** An OPDAT RLA to Russia spoke at the Russian Internet Week conference in Moscow on October 18. The RLA was on a panel including representatives of Microsoft, Kaspersky, Group IB and others that discussed how Internet-based companies and law enforcement can work together in the fight against cybercrime. The RLA emphasized that Russia's stated goals of modernization, foreign direct investment, innovation projects such as Skolkovo (a Russian project to build a high-tech research and production hub, similar to Silicon Valley in California), and its increasing use of credit-based accounts are creating greater incentives for increased cooperation with the United States and others against cybercrime and intellectual property theft.

***Moldovan Prosecutors Participate In Intensive Leadership Training:*** From October 16-23, twelve senior officials from Moldova, accompanied by the OPDAT RLA to Moldova, attended a "Foundations of Managerial Leadership/Train the Trainer" course at the National Advocacy Center (NAC) in Columbia, South Carolina. This program was designed so that the senior Moldovan officials could participate in a customized course at the NAC. The first of its kind, this initiative is the result of a partnership effort between OPDAT and the Office of Legal Education/Justice Leadership Institute to develop managerial leadership skills among foreign prosecutors, as well as to build a cadre of trainers who will be able to expand the program in Moldova, furthering the goals of individual and institutional capacity and accountability. The course consisted of presentations along with individual and group exercises. Participants prepared mock presentations which were recorded on video, and they received comments in individualized sessions. In the final sessions, the participants wrote case scenarios and drafted their own course curricula to use upon their return to Moldova.

***On-Going Assistance to Indonesia in Battling Environmental Crime:*** From October 15-22, the OPDAT RLA to Indonesia led a delegation of 12 prosecutors from Indonesia's nascent

Environmental Crime Task Force on a US-based study program focused on combating environmental crime. The purpose was to give the delegation an opportunity to view effective investigation and prosecution of environmental criminal cases, both from a policy and legislative perspective as well as the perspective of a prosecutor in the field. The delegation spent the first three days in Alaska at the US Attorney's Office where they met with federal prosecutors and agents from the Fish and Wildlife Service, representatives of the Coast Guard, and other agencies to observe firsthand how cases are investigated and prosecuted. They spent the last three days in Washington, DC, meeting with the Environment Natural Resources Division (ENRD) to discuss legislation, policy, and case issues. The goal of this program was to highlight best global practices in the investigation and prosecution of environmental cases and stress the utility of close cooperation between investigators and prosecutors in Indonesia on these sometimes difficult cases.

By way of background, Indonesia is the third largest carbon emitter in the world, primarily due to illegal forest fires and peat destruction, making environmental protection a crucial component to combating world climate change. In addition, Indonesia has the world's third most diverse terrestrial life and the most diverse marine life, but due to illegal fishing, mining, habitat destruction, and wildlife trafficking, this inheritance is in danger of being lost. OPDAT spearheaded the creation of an 18-member Natural Resources Crimes Task Force within the Indonesian Attorney General's Office (AGO) to prosecute high-profile environmental crimes, and the unit was inaugurated by the AGO on March 30, 2010. In July 2011, the Task Force was increased to 32 members. Unit chiefs traveled to Washington, DC, and California in May 2010 to discuss enforcement strategies with the DOJ ENRD, and the US National Parks and Fish and Wildlife Service. This was followed by a visit of twelve members of the task force to Miami, Florida, and Washington, DC, in January 2011. The current trip enabled new members of the unit to increase their capacity and skills first-hand by engaging with their US counterparts for best practices in prosecuting environmental crimes.

***OPDAT RLA Recognized For International Rule of Law Assistance:*** A former OPDAT RLA to Iraq, Rule of Law (ROL) Coordinator in Iraq, and former OPDAT RLA to the United Arab Emirates was awarded the Daniel Webster International Lawyer of the Year Award by the New Hampshire Bar Association on October 13. Now First Assistant at the District of New Hampshire US Attorney's Office, he was recognized for his dedicated and outstanding efforts over many years to strengthen the rule of law internationally, promote transparency and accountability in international financial transactions through his anti-terrorism and anti-money laundering efforts in Iraq, the Arabian Gulf and elsewhere, and especially for his recent efforts as ROL Coordinator in the US Embassy in Baghdad, Iraq, where he was a principal advisor to the US Ambassador on a wide range of justice issues.

***Program on Combating Exploitation of Casinos by Organized Crime in Mexico:*** On October 12-13, in Cancun Quintana Roo, Mexico, an OPDAT RLA to Mexico, OPDAT Civilian Response Corps (CRC) prosecutor, and an AFLMS International Attorney Advisor conducted a roundtable for federal judges, prosecutors, law enforcement agents, and casino regulators from both Mexico and the US on casinos, organized crime, and money laundering. This roundtable was organized in response to informal requests received from Mexico for capacity building in this area. The Mexicans have indicated that they are ill equipped to monitor or control the casino industry and would like assistance from the Department of Justice to better identify, investigate, and prosecute criminal activity arising out of the casino industry in Mexico. In particular, they were interested in how extortion and the payment of "protection money" could be identified and prosecuted. In Mexico, the casino model which involves table games of chance and slot machines is illegal. However, many establishments which call themselves "casinos" and which operate table games of chance and slot machines, have begun to sprout up throughout Mexico and have become a recent focal point for cartel activity in Mexico. This roundtable was part of a bilateral effort to combat the growing exploitation of the casino industry by the cartels.

***New Pilot Court Project Opens in Basrah, Iraq:*** On October 11, the grand opening of the Basrah Investigative Judge/Judicial Investigator Pilot Court took place. This was a project worked

on extensively by an OPDAT RLA to Iraq and funded by the Commanders Emergency Relief Program. This was part of an initiative specifically requested by the Chief Justice of Iraq, the purpose of which was to embed Investigative Judges with Judicial Investigators to serve as a liaison between Iraqi Police and Investigative Judges in order to facilitate improvement of investigations and prosecutions. Historically, the relationship between Iraq's judiciary and its law enforcement community has been fractious, and it is hoped that the new Pilot Court project will foster a better working relationship between the bench and the police.

***OPDAT Reform Efforts in Kosovo Lead to Acceptance of Draft Criminal Code:*** The Kosovo government (GOK) unanimously accepted the draft criminal code on October 10. The proposed code represents 18 months of collaborative work by OPDAT, the Ministry of Justice, other GOK institutions, civil society, NGOs, educational and legal experts, and international organizations. An OPDAT RLA to Kosovo led the reform effort and was responsible for incorporating the European Union and Kosovo suggestions as well as some of the best practices of the US. The draft criminal code has a number of improvements, including new articles to address terrorist acts, terrorist financing, and support for terrorism; new articles and higher penalties to address economic crime, corruption, abuse of office, and crimes of violence; increased use of confiscation provisions to ensure the instrumentalities and proceeds of crime are removed from the hands and bank accounts of those who engage in crime for material gain; increased protection and higher penalties for crimes against domestic partners and vulnerable victims such as children, physically or mentally handicapped persons, persons suffering from diminished capacity, or pregnant women; new narcotics and weapons offenses with higher penalties for traffickers, manufacturers, or distributors; and, new provisions to address organized crime offenses and penalties. The draft law was presented to Kosovo's Assembly (Parliament) and is expected to be adopted before the end of the calendar year.

***Court Security Assistance in Indonesia:*** From October 9-14, the OPDAT RLA to Indonesia accompanied a US Marshals Service (USMS) Court Security Expert to a series of meetings with Indonesian police, prosecutors, and the Supreme Court to examine the issue of court security and to make security recommendations for upcoming terrorism trials. As part of a US State Department funded program to improve the ability of Indonesia to bring transnational criminal cases to trial, and to develop the rule of law, OPDAT has partnered with the Indonesian Supreme Court and the USMS to conduct an evaluation of court security issues in Indonesia with a particular focus upon terrorism trials. The evaluation will produce a series of recommendations which OPDAT will work to implement with the Indonesian government.

***OPDAT Participates in Program on Forestry Issues:*** An OPDAT RLA to Russia was the sole US presenter at the International Forestry Forum held in St. Petersburg, Russia, on October 4. The Forum brought together government and industry leaders to discuss forestry issues, and included participation from the UN Economic Commission for Europe and various other international bodies. The RLA spoke about amendments to the US Lacey Act as a key component of the United States' efforts to prevent its domestic market from helping to fuel demand for illegally harvested forest products.

***OPDAT Program in Macedonia on Role of the Judge in an Adversarial System:*** A US Magistrate Judge (Eastern District, Virginia) was the leading speaker at two seminars on the role of the judge in an adversarial system conducted by OPDAT, in partnership with the Academy for Judges and Prosecutors and the Judge's Association of Macedonia, in Skopje, on Oct 3-4 and 5-6. Attending were judges, prosecutors, and police from the Skopje and Gostivar appellate regions. US Ambassador Paul D. Wohlrs delivered remarks emphasizing the changes that the new adversarial system will bring for judges and prosecutors. He also stressed the importance of these seminars and other similar trainings ahead of the forthcoming major changes that will provide for neutrality of judges, as opposed to the inquisitorial procedure where judges sometimes seem to be part of the prosecution. He also emphasized the importance of the Macedonian Government providing necessary resources for the successful implementation of the law. Additionally, opening remarks were made by the OPDAT RLA to Macedonia, who also facilitated the entire program;

Supreme Court Chief Justice Jovo Vangelovski; President of the Judge's Association Nikolco Nikolovski; and Academy's Director Judge Aneta Arnaudovska.

***Russian Delegation Participates in Anti-Corruption Study Program:*** From October 3-7, an OPDAT RLA to Russia led a high level delegation of Russian officials to Washington, DC, on a study program focused on anti-corruption. In 2010-2011, Russia instituted mandatory anti-corruption training for government officials and passed legislation criminalizing transnational bribery. The Russian government, however, has little experience investigating or prosecuting cases of transnational bribery, training officials in anti-corruption, or working with the private sector to detect and prevent transnational bribery. In addition, anti-corruption compliance is not yet well-developed among Russian businesses. Russian businesses currently do not have compliance programs and will not create them until there is clear signal to do so from the Russian government. One goal of this trip was to get Russian government officials to see the value of internal corporate compliance and pass legislation, regulations, and guidelines that will stimulate businesses to institute such programs. This study trip was also designed to introduce Russian government officials to best US practices in combating transnational corruption, highlighting corporate self-disclosure, internal investigations, and compliance training. During the program, there were government meetings and meetings with the private sector and NGOs.

***New SECI Center RLA Arrives in Bucharest, Romania:*** On October 1, a new OPDAT RLA arrived at the Southeast European Cooperative Initiative Regional Center for Combating Trans-Border Crime (SECI Center) in Bucharest, Romania. The OPDAT RLA program at the SECI Center aims to increase and enhance the abilities of Southeast European law enforcement officers and prosecutors to investigate and prosecute trans-border crime cooperatively and effectively, including crimes that victimize US citizens and companies. The new RLA will provide guidance and assistance to the SECI Center and its Southeast European Prosecutors Advisory Group (SEEPAG) on a broad range of legal and policy issues, engaging US and European agencies and law enforcement organizations, the United Nations, and international initiatives to support and cooperate with the enforcement goals of the SECI Center and SEEPAG. On October 7, SECI was scheduled to transform into the Southeast European Law Enforcement Center (SELEC) – a legal entity that can be recognized by Europol and that will have the authority to establish and maintain law enforcement databases.

***Anti-Drug Trafficking Program in Algeria:*** From September 27-29, in Algiers, Algeria, OPDAT conducted a workshop on combating transnational narcotics trafficking for Algerian investigating magistrates and judicial police. Topics covered were techniques for combating the narcotics trade in North Africa, including how to follow a money trail, use of various forms of surveillance (human, digital and electronic), and use of cooperators and plea agreements. This program was the third in a series of OPDAT programs that have been requested by the Algerian Ministry of Justice. Previous programs addressed cybercrime and organized crime issues. DOJ presenters included AUSAs and an FBI Supervisory Special Agent.

***Serbia Adopts New Criminal Procedure Code:*** On September 26, after more than two years of sustained OPDAT legislative drafting assistance, the Serbian Parliament adopted a new criminal procedure code (CPC). The new CPC will fundamentally change the Serbian criminal justice system, resulting in processes that more efficiently and effectively fight crime, are more closely aligned with European norms, and better protect human rights. Important innovations include prosecutor-led investigations and a transition from an inquisitorial, judge-led system to a semi-adversarial system. OPDAT Serbia is preparing for an intense period of training prosecutors and other justice-sector personnel to use the new CPC once it becomes effective (in January 2012 for specialized organized crime and war crimes institutions and in January 2013 for regular institutions). The first trainings were scheduled to begin in late Fall, and will include US, regional, and local speakers.

***Very Successful Trial Advocacy Program in Pakistan:*** From September 19-23, the OPDAT RLA to Pakistan facilitated a week-long seminar in “Case Preparation and Trial Advocacy Skills” for 28 Sindh prosecutors in Karachi, Sindh Province. The program was modeled on the DOJ National Advocacy Center trial advocacy course and included lecture, demonstration, and participation. This was the fourth such program held in Karachi this year. The primary instructors were a US District Judge (Nevada), an OPDAT CRC prosecutor, a defense counsel, an Intermittent Legal Advisor to Pakistan, and the RLA. Guest lectures were given by a representative from the DOJ’s International Criminal Investigative Training Assistance Program (ICITAP) on crime scenes and collection of forensic evidence; two Pakistani attorneys on police coordination/case screening and cybercrime; and, two Sindh prosecutors. The latter two discussed how the rule of law and inter-agency cooperation are applied in the Global War on Terror. Sponsored by DOJ, they had just attended a training course at The Defense Institute of International Legal Studies (DIILS) in Newport, RI, on “Legal Aspects of Combating Terrorism.” The Sindh Prosecutor General told the RLA, “As a result of your training and equipment programs, our morale and our conviction rate have increased. All my prosecutors are now clamoring to take your courses!”

***OPDAT Serbia Conducts a Witness Protection Symposium:*** On September 20, OPDAT RLAs to Serbia with representatives of DOJ’s Office of Enforcement Operations (OEO), US Marshals Service, and Bureau of Prisons, conducted a witness protection symposium for the leaders of Serbian agencies participating in witness protection. This symposium marked an important step in DOJ’s efforts to bolster Serbia’s witness protection capacity, and the US Ambassador opened the event to underscore US commitment to Serbia’s program. In spite of a recently stormy relationship between the Serbian institutions, the US moderators managed to identify several common problems and get the Serbian agencies to agree on certain practical improvements. OPDAT will continue to engage on this important issue.

***US-Based Program for Members of the Russian Financial Intelligence Unit:*** The OPDAT RLA to Russia organized and participated in an anti-money laundering program, September 19-23, in Washington, DC, and Baltimore, Maryland, for 12 high level officials of Rosfinmonitoring, the Russian Financial Intelligence Unit. The program focused on building capacity and cooperation with Russian counterparts in the investigation and prosecution of complex laundering schemes, terrorist financing, narcotics-related money laundering, and schemes involving the use of new technologies. The program included meetings with Justice’s Department’s AFLMS, OIA, Drug Enforcement Administration, and FBI; Treasury’s Financial Crimes Enforcement Network; Internal Revenue Service (IRS); and Homeland Security’s Immigrations and Customs Enforcement. Because several of Rosfinmonitoring’s field office supervisors participated, meetings were arranged with prosecutors and investigators in Baltimore to provide a field office perspective in the US efforts against money laundering crimes.

***Cybercrime and Electronic Evidence Program in the Philippines:*** On September 19-20, the OPDAT RLA to the Philippines conducted a cybercrime and electronic evidence program with the Philippines Department of Justice (PDOJ) and the Office of the Ombudsman involving forty local prosecutors from metropolitan Manila. The Philippines has a growing cybercrime challenge, and traditional crimes increasingly include digital components. This conference is the first of a series of three programs aimed at younger prosecutors from major metropolitan areas that focuses on obtaining and using electronic evidence in court and makes use of local industry and law enforcement experts as speakers. On a national level, the program is part of a larger project to encourage the Philippine Government to enact comprehensive cybercrime legislation, which passed the Philippines House of Representatives earlier this year and awaits further action in the Senate. Following this step, the Philippines hopes to be the second Asian country to join the Council of Europe’s Cybercrime Convention.

***Two-day Workshop on Witness Security Issues in Malaysia:*** On September 19-20, OPDAT, in conjunction with the Prime Minister’s Witness Protection Unit (WPU) of Malaysia, conducted a two-day workshop on best practices for managing a witness protection program in

criminal prosecutions. The workshop took place in Putrajaya, the administrative capital of Malaysia. Representing OPDAT was the RLA to Malaysia, who presented a prosecutor's perspective on witness protection and addressed some of the common issues that arise when presenting the testimony of a witness who has been placed in protection; and a Senior Deputy US Marshal, who provided an overview of the US federal witness security program, with particular emphasis on how the US protects incarcerated witnesses. In addition to DOJ participation, the workshop featured speakers from United Nations Office on Drugs and Crime, Hong Kong Police, and Australian Federal Police. Malaysian presenters included the Deputy Head of the Prosecution Division of the Malaysian Attorney General's Chambers, as well as the Director General of the Malaysian WPU.

***International Conference on Financial Crime and Terrorism Financing in Malaysia:*** On September 19-20, Malaysia hosted the Third International Conference on Financial Crime and Terrorism Financing in Kuala Lumpur. The event drew about 700 compliance officers from financial institutions throughout Southeast Asia, and focused on emerging trends, risks and threats in financial crimes, their impact on regulation, supervision and enforcement. This year's conference, for the first time, emphasized the need to combat proliferation finance and illicit trade in controlled items. The OPDAT RLA to Malaysia assisted the US Embassy in identifying two USG speakers for the conference, which was funded by OPDAT and the State Department Export Control and Related Border Security Assistance Program. A Federal Reserve Bank of New York Senior Special Investigator spoke on identifying the "red flags" of proliferation-related financial transactions. A DOJ prosecutor who leads the newly created Bank Integrity Unit of AFMLS, a unit that prosecutes sophisticated money laundering schemes and Bank Secrecy Act cases, spoke on recent proliferation finance prosecution successes and served on a panel discussion with the Malaysian Attorney General.

***Public Corruption-Financial Crimes Program in Indonesia:*** On September 12-16, in Jakarta, OPDAT, FBI, and ICITAP partnered with the Indonesia Corruption Eradication Commission (Commission) to conduct a week long program on public corruption/financial investigations. The goal of the program was to teach members of the Commission how to use Indonesia's new anti-money laundering law to investigate public corruption cases. The program focused on techniques investigators can use to "follow the money," leading to criminal charges and recovery of stolen proceeds. It used a combination of lecture and practical problem solving exercises. Presenters included the OPDAT RLA to Indonesia, as well as representatives from the FBI, Internal Revenue Service, and Indonesian ministries.

***Program on Foreign Corrupt Practices Act in Russia:*** On September 2, an OPDAT RLA to Russia partnered with American Chambers of Commerce Abroad-Russia to hold a roundtable on the Foreign Corrupt Practices Act with the head of the Federal Anti-Monopoly Service (FAS). The roundtable was organized because FAS has been pursuing cases against foreign companies for refusing to work with corrupt local distributors and terminating contracts when the companies uncover evidence that the distributors are bribing local government officials. FAS claims that the importers are using anti-corruption due diligence as a ruse to limit the number of distributors and artificially inflate prices. The companies claim that they are just trying to comply with US anti-corruption laws and that the FAS policy forces them to risk either a prosecution by DOJ for foreign bribery or a prosecution by FAS for antitrust violations. The roundtable was attended by representatives of approximately 300 businesses who expressed their concerns aggressively; FAS agreed to work with business to develop appropriate standards. The business community was extremely grateful for OPDAT efforts to pursue this issue. Of 109 attendees who filled out survey forms, 108 indicated that the roundtable had been useful and said that the program had provided them with a rare opportunity to interact on a controversial issue with the Russian government and constituted a "huge step" forward in their efforts to work ethically in Russia.

***Government of Serbia Adopts New Draft Criminal Procedure Code:*** For two years, OPDAT RLAs to Serbia, including the two current ones, have been providing active support and

expert input to the Government of Serbia (GoS) on a new draft Criminal Procedure Code (CPC). On September 1, the GoS executive branch adopted the draft as an official Government bill, which will now be forwarded to Parliament. The GoS is aiming for passage in early Fall. This draft CPC has long been a top USG and OPDAT priority. The draft contains important reforms that, if passed, will result in a criminal justice system that more efficiently and effectively fights crime, is more closely aligned with European norms, and better protects human rights. The draft includes several innovations that are key in Anglo-American legal systems, and increasingly common in a number of European systems, such as prosecutor-led investigations, a more adversarial (rather than inquisitorial) legal system, and the expanded use of cooperating witnesses and plea bargaining. US prosecutors are particularly comfortable with these provisions, and OPDAT is implementing plans to train prosecutors and other justice-sector personnel in advance of implementation of the new CPC.