



JUSTRAC+

JUSTICE SECTOR TRAINING, RESEARCH
& COORDINATION PLUS PROGRAM

DRAFT – SUBJECT TO CHANGE

Understanding and Analyzing Corruption

November 17 and 18, 2021

Organized by:

University of South Carolina
Rule of Law Collaborative

Virtual Platform:

Blackboard Collaborate Ultra

Participants will receive instructions regarding
access closer to the dates of the program.

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University of South Carolina





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JUSTICE SECTOR TRAINING, RESEARCH
& COORDINATION PLUS PROGRAM

Rule of Law Collaborative U.S. DEPARTMENT OF STATE (INL) JUSTRAC+ Training-Anti-Corruption: Understanding and Analyzing Corruption

Course Objectives

Ten years since the Open Government Partnership was formed to promote more inclusive, transparent, and participatory governments around the world, the challenge of corruption has only grown in importance. The global population is confronting novel issues as technology fuels disinformation and criminal enterprises such as illicit financial flows, allowing corruption to spread and evolve. The rise of authoritarianism has roots in the corrosive impact of corruption on democracy and the rule of law. In short, the need for renewed, effective measures to combat corruption is more salient than ever. The Biden Administration recently agreed, recognizing in its National Security Study Memorandum combatting corruption as a top national security priority.

The justice sector has a complex relationship to corruption. It is one of the primary venues in which corruption is fought directly, through prosecutions of incidents of corrupt behavior, administrative regulation, and enforcement of corruption prevention mechanisms. At the same time, the justice sector is not immune to corruption's pernicious influence. And, in a system that depends on public legitimacy, the justice sector is particularly affected by the destructive impact of corruption. It is thus particularly important for justice sector experts and reform managers to possess, and continue to deepen, an in-depth, nuanced understanding of the entrenched, resilient, and systemic nature of corruption in society.

This two-day training will address the causes and consequences of corruption, examining the antagonism between corruption and the rule of law. It will explore the systemic nature of both justice systems and systems of corruption. Participants will work through practical exercises to develop their own detailed understanding of corruption and grapple with how it manifests in their country of focus. Participants will be challenged to broaden the way in which they understand corruption and be prepared to account for corruption in their program design work based on the analysis performed during this training session. Participants will leave the training with a more sophisticated understanding of what corruption is, the difficulties in identifying corruption, how corruption acts as a spoiler to rule of law, and how corruption evolves to resist reform efforts.



DAY ONE: UNDERSTANDING CORRUPTION

Morning Session, November 17, 2021

8:45AM – 9:00AM LOGIN AND TECHNOLOGY CHECK

Greg Gisvold, *Senior Fellow, Rule of Law Collaborative, University of South Carolina*

Participants will be able to sign on to the platform a little early and receive help or a brief introduction to the platform to mitigate any technology issues.

9:00AM – 9:05AM INTRODUCTIONS AND WELCOME

Greg Gisvold, *Senior Fellow, Rule of Law Collaborative, University of South Carolina*
Karen Hall, *Deputy Director, Rule of Law Collaborative, University of South Carolina*

This session will provide an overview of the JUSTRAC+ Program, the Rule of Law Collaborative, the program agenda, and ground rules and logistics.

9:05AM – 10:00AM THE RULE OF LAW AND CORRUPTION

Karen Hall, *Deputy Director, Rule of Law Collaborative, University of South Carolina*

In this session, participants will explore different definitions of the rule of law, focusing on the attributes of the rule of law most important to average citizens. The concept of thick and thin definitions of the rule of law will be explored, including their relationship to anti-corruption. The session will then turn to a discussion of corruption as a spoiler of the rule of law, and a negation of attributes of the rule of law. Participants will be given an assignment to work on after class focused on rule of law definitions and the related spoiling effect of corruption on those attributes of the rule of law.

Learning objectives

- Participants will understand different definitions of the rule of law.
- Participants will learn how corruption negates and acts as a spoiler to the rule of law.

Resources

- Asynchronous Learning Module, “Rule of Law: Attributes and Definitions”

10:00AM – 11:00AM BREAK AND ASSIGNMENT

Exercise 1: Rule of Law and Corruption

11:00AM – 12:30PM WHAT IS CORRUPTION?

Karen Hall, *Deputy Director, Rule of Law Collaborative, University of South Carolina*

In this session, participants will engage in interactive polling and decision making while exploring the question of “what is corruption?” Participants will be presented with typologies of corruption—focusing on the expansive nature of corrupt behavior. Participants will comparatively explore legal definitions of corrupt acts. Participants will also grapple with the complications of delineating corruption between illegal acts and unethical behavior (“with the rule” and “against the rule” corruption). They will also confront the complications of delineating between petty and grand corruption and debate definitions and how those definitions inform rule of law work.

Learning objectives

- Participants will learn how to define and identify core corrupt practices.

Resources

- Asynchronous Learning Module, “Anti-Corruption: Defining, Understanding, and Identifying Corruption”

12:30PM – 1:30PM LUNCH

Afternoon Session, November 17, 2021

1:30PM – 2:30PM COUNTERING CORRUPTION-ENABLED TRANSNATIONAL ORGANIZED CRIME TOOLKIT

Matthew Murray, *Rule of Law Initiative, American Bar Association*

In this session, the American Bar Association Rule of Law Initiative (ABA-ROLI) will introduce the JUSTRAC Knowledge Portal and outline a toolkit of resources available to the interagency focused on corruption, the rule of law, and related topics.

Learning objectives

- Participants will learn where to access anti-corruption and rule of law resources to inform their analysis and program responses.

Resources

- JUSTRAC Knowledge Portal

2:30PM – 3:30PM

BREAK AND ASSIGNMENT

Exercise 2: How does Corruption undermine Rule of Law?

3:30PM – 4:30PM

CONSEQUENCES OF CORRUPTION

Abby Natividad, *Program Officer, Rule of Law Collaborative, University of South Carolina*

In this session, participants will confront the diffuse nature of corruption victimization and the complications that it creates in identifying consequences of corruption. Data from recent social science findings will be presented, and participants will be asked to reflect on the consequences their countries of focus face because of corruption.

Learning objectives

- Participants will learn the impact of corruption and the difficulties of identifying consequences of corrupt practices.
- Participants will begin to assess the consequences of corruption in their country of focus.

Resources

- Asynchronous Learning Module “Country Analysis: Resources to Remember”

DAY TWO: ANALYZING CORRUPTION

Morning Session, November 18, 2021

9:00AM – 10:00AM CAUSES OF CORRUPTION

Atif Choudhury, *Program Officer, Rule of Law Collaborative, University of South Carolina*

In this session, participants will learn about different theories regarding the causes of corruption and confront the layered nature of causality. They will become acquainted with recent studies and findings exploring this question.

Learning objectives

- Participants will learn theoretical underpinnings of the causes of corruption.

Resources

- “Robi Ramadan” Video (Bangladesh)

10:00AM – 11:00AM BREAK AND ASSIGNMENT

Exercise 3: Corruption Problem Statement

11:00AM – 12:15PM PROBLEM ANALYSIS

Karen Hall, *Deputy Director, Rule of Law Collaborative, University of South Carolina*

In this session, participants will learn about root cause analysis, and be provided with worksheet templates and invited to apply the knowledge they have gained during the training to a hypothetical example. During this exercise the complex nature of corruption will be examined and participants will think through root causes of corruption in a specific context. Templates will be provided to participants to practice root causes analysis of corruption in their current area of focus.

Learning objectives

- Participants will be able to utilize and apply anti-corruption tools for problem analysis.

Resources

- Las Palmas Hypothetical
- Exercise 4: Root cause analysis worksheet

12:15PM – 1:30PM LUNCH BREAK

Afternoon Session, November 18, 2021

1:30PM – 2:30PM PROBLEM ANALYSIS AND PROBLEM STATEMENTS

Karen Hall, *Deputy Director, Rule of Law Collaborative, University of South Carolina*

Participants will discuss the output of their root causes analysis efforts from earlier and develop problem statements. This exercise and discussion will help participants focus their thoughts on actionable issues to address.

Learning objectives

- Participants will apply principles learned during the core training to their country of focus.

Resources

- Exercise 5: Problem Statement Worksheet

2:30PM – 3:00PM BREAK

3:00PM – 4:00PM THE RESILIENCE OF CORRUPTION IN COMPLEX SYSTEMS

Greg Gisvold, *Senior Fellow, Rule of Law Collaborative, University of South Carolina*

In this session, the changing nature of corruption will be explored. Participants will learn about current studies examining the ways in which corrupt behavior pivots to account for social pressure, government actions, and development reforms. The complexity and vitality of corrupt behavior will be discussed, particularly in the context of how that impacts reform responses.

Learning objectives

- Participants will gain an understanding of how corruption is not something to be “defeated” but instead an enduring, dynamic phenomenon.

Resources

- None

4:00PM – 4:15PM CLOSING