



# Harvard Law & International Development Society

a community dedicated to challenges at the intersection of law, policy and development



## Development amidst Corruption | Developments against Corruption

The 2012 Harvard Law & International Development Society Symposium

*November 9, 2012. Milstein East, Harvard Law School. Cambridge, MA*

### Introduction

Corruption affects us all, from children who are denied life-saving treatment to large corporations looking to do business in difficult places. The experience of corruption, and the fight against it, thus resonates with people around the world.

This year's LIDS Symposium, entitled "Development amidst Corruption | Developments against Corruption," will deal with the experience of corruption and its effects, and intends to highlight the increasingly global nature of anti-corruption efforts. The symposium will present powerful personal narratives from those who have risked much to combat corruption, and will throw up fresh new ideas for tackling corruption in both rich and poor nations.

### About LIDS

The Harvard Law & International Development Society ("LIDS") is the premier student-run organization at Harvard University focused on issues at the intersection of law, policy and international development. LIDS was founded in 2009, in light of the growing recognition that many pressing challenges in international development are legal in nature.



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We actively promote dialogue on issues that contribute to a deep understanding of both development practice and the law among our members, leading academics, and development practitioners. We also facilitate practical, hands-on non-litigation opportunities for students through semester-long projects with leading development organizations. Finally, we foster a social network of students interested in law and development from Harvard Law School, Harvard Kennedy School, the Harvard Graduate School of Education, the Harvard School of Public Health, and the Fletcher School of Law & Diplomacy at Tufts University.

### **Past Symposia**

The first LIDS Symposium was held in 2010, and was entitled “Rebuilding After the Storm: The Role of Law in Post-Natural Disaster Development.” The event focused on the “first steps” and debates that arise immediately following and in the subsequent years after natural disasters occur. Symposium participants used the recent disasters in Pakistan and Haiti as a prism through which to examine these development issues. Professor Amartya Sen, and the former Prime Minister of Haiti Michèle Duvivier Pierre-Louis, delivered the keynote speeches.

The second LIDS Symposium, held in 2011, was entitled “Land Rights in the Developing World: Where do we go from here?” The event brought together practitioners and academics to discuss new theories regarding the interplay of land rights and development, focusing specifically on women’s rights and customary land tenure regimes, and on land titling in post-conflict societies. Olivier de Schutter, the United Nations Special Rapporteur on the Right to Food, and Brahim Kaba, Chairman of the Liberian Land Commission, delivered the keynote speeches.

### **Location**

The Symposium will be held at the Milstein East Conference Room in Wasserstein Hall, at Harvard Law School. Inaugurated in early 2012, and designed by the architectural firm Robert A. Stern Architects, Wasserstein Hall is Harvard Law School’s newest building.

*Wasserstein Hall, 1585 Massachusetts Avenue, Cambridge, MA 02138*



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## Schedule

12.15-1.00pm

Lunch + Opening Speaker

### **Robert Mazur**

*A former federal agent, Robert Mazur spent five years undercover infiltrating Colombia's Medellin drug cartels. Playing a Miami businessman called Robert Musella, Mr. Mazur lured drug lords and dirty bankers to a staged wedding in the United States, where they were arrested and prosecuted in what remains one of the largest money laundering prosecutions in U.S. history.*

1.15-2.45pm

Panel 1: Stories of Corruption, from the people who fought back

### **Ombudsman Conchita Carpio Morales**

*Ombudsman and Former Associate Supreme Court Justice, Republic of the Philippines*

### **Robert Mazur**

*President, Chase & Associates; Former DEA agent*

### **Jeffrey M. Avina**

*Director, Middle East & Africa Division, Citizenship & Community Affairs Department, Microsoft International (expected)*

### **El Cid Butuyan**

*Senior Litigator, World Bank (Chair)*

2.45-3.15pm

Coffee + Tea Break

3.15-4.45pm

Panel 2: Emerging Trends in Anti Corruption Work

### **Judge Mark L. Wolf**

*Chief Judge, United States District Court for the District of Massachusetts*



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## **James Hamilton**

*President, International Association of Prosecutors;  
Formerly Director of Public Prosecutions, Ireland*

## **Mark Mendelsohn**

*Partner, Paul, Weiss; Formerly Deputy Chief, Fraud  
Section, Criminal Division, U.S. Department of  
Justice*

## **Matthew Stephenson**

*Professor, Harvard Law School*

## **Roberto Laver**

*Visiting Associate, Harvard Kennedy School (Chair)*

4.45-5.00pm

Tea + Coffee Break

Keynote Speech

## **Ombudsman Conchita Carpio Morales**

*Ombudsman and Former Associate Supreme Court  
Justice, Republic of the Philippines*

*As her country's chief official in charge of fighting  
political corruption, Ombudsman Morales has  
fought against corruption in high places: she has  
indicted a former President of the Philippines and a  
former Chief Justice on corruption charges.*

Vote of Thanks

5.30-6.30pm

Reception

7.00pm onwards

Dinner for Speakers



## **Speaker and Moderator Profiles**

### **Jeffrey M. Avina (*invited*)**

Since 2008 Jeffrey M. Avina has been director of the Middle East and Africa Division of Microsoft International's Citizenship and Community Affairs Department. Based in Istanbul, he has responsibility for setting Microsoft's corporate social responsibility strategy in 79 countries in the Middle East and Africa, linking activities to government and donor expenditures in health, education, governance, and disaster management.

Earlier in his career, Mr. Avina's held several positions with the U.N. He was director of operations of the United Nations Office on Drugs and Crime in Vienna from 2006 to 2008. For two years previously he was deputy director for Africa and deputy assistant secretary general of the United Nations Development Program. In other assignments with the U.N., he was resident coordinator for four years in Honduras, deputy resident representative for five in Laos and assistant resident representative for five in Bhutan.

Mr. Avina earned undergraduate and graduate degrees from Stanford University. He holds an M.P.A. from Harvard's Kennedy School of Government and a J.D. from Harvard Law School. He is a member of the boards of U.S. - North Africa Partnership for Economic Opportunity and End Human Trafficking Now. He is also a member of the New York and Connecticut State Bar Associations. Mr. Avina speaks Spanish, French, Portuguese and Lao/Thai. His most recent publication was an article on corporate social responsibility in the *Journal of Financial Crime*, published by Cambridge University.

### **El Cid Butuyan**

El Cid Butuyan is a graduate of the University of the Philippines and Harvard Law School (LL.M.). In 2007, he was appointed by the then Harvard Law Dean, Elena Kagan, as the *Harvard Wasserstein Public Interest Fellow* "in recognition of outstanding contributions and dedication to public interest law." In 2012 Mr. Butuyan, together with LIDS, launched the first International Anti-Corruption Clinical Project at Harvard Law School. He has also served as LIDS Advisory Board member since 2009.

Mr. Butuyan is originally from the Philippines, where he was a member of the Prosecution Panel in the historic impeachment of the former Philippine President for corruption. He previously clerked for a Justice of the Supreme Court.

Mr. Butuyan is currently a Senior Litigator at the World Bank, Integrity Vice-Presidency, based in Washington DC where he is responsible for the investigation and prosecution of sanctions cases against firms and individuals involved in fraud and corruption in World Bank projects worldwide. In 2009, the Integrity Vice-Presidency investigated and sanctioned *Siemens* and required the company to set up a \$100 million anti-corruption fund to finance various large and small anti-corruption initiatives worldwide. More recently, Mr. Butuyan led the negotiations with and sanctions against *C. Lotti and Associati S.p.A.*, a major Italian consulting company, for misconduct in Indonesia. As part of settlement and sanctions, *Lotti* paid restitution to the Indonesian Government in the amount of approximately Rp 3 billion Rupiah. The World Bank President, in a key speech, and other World Bank officials, hailed this as the first of its kind which answers the longstanding call by victim countries for the return of illicit gains.



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Mr. Butuyan returns regularly to Harvard to speak on the topic of international anti-corruption efforts. More recently, he also spoke at the University of Cambridge, the China National Corruption Prevention Bureau and the Chinese Academy of Governance.

### **James Hamilton**

James Hamilton is currently the President of the International Association of Prosecutors. Between 1999 and 2011, he was Ireland's Director of Public Prosecutions (DPP). Mr. Hamilton is only the second person to have served in that role, since the office was established in 1974. As DPP, Mr. Hamilton played a significant role in reforming the criminal justice system in Ireland, and saw that his office adapted to legal developments and societal changes.

From Dublin, Mr. Hamilton studied history and political science in Trinity College. He was then called to the Bar and practiced on the Northern and Dublin Circuits from 1973-1981. During this time he was prosecuting counsel for County Donegal (1977-1981). In 1981 he was appointed a full-time legal adviser to the Attorney General, and in 1995 made permanent head of the Office of the Attorney General and senior legal adviser to the AG. Mr. Hamilton became DPP in 1999.

In addition to his role as President of the International Association of Prosecutors, Mr. Hamilton is a member of the Council of Europe's Commission for Democracy through Law, better known as the Venice Commission.

### **Roberto Laver**

Roberto Laver is an international consultant and lecturer focused on governance, integrity and judicial reform issues. He is currently a visiting associate at the Harvard Kennedy School focusing on research on corruption and development. He has practiced international law for over twenty years including positions at major private law firms in Buenos Aires, Washington D.C. and Boston and as senior counsel at the World Bank. From 2003 through 2009, Mr. Mazur was the Executive Director of the International Forum of Bible Agencies, a strategic alliance of Biblical mission entities. He has taught at the Fletcher School of Law and Diplomacy and Taylor University. Mr. Laver holds law degrees from Buenos Aires University Law School (JD) and the University of Virginia School of Law (LLM, SJD).

### **Robert Mazur**

As a federal agent, Robert Mazur spent five years undercover infiltrating the criminal hierarchy of Colombia's drug cartels. The dirty bankers and businessmen he befriended knew him as Bob Musella, a wealthy, mob-connected big shot living the good life. Together they partied in \$1,000-per-night hotel suites, drank bottles of the world's finest champagne, drove Rolls-Royce convertibles, and flew in private jets. But under Mazur's Armani suits and in his Renwick briefcase, recorders whirred quietly, capturing the damning evidence of their crimes. Then, at a staged wedding, he led a dramatic takedown that shook the underworld. In the end, more than eighty men and women were charged worldwide. Operation C-Chase became one of the most successful undercover operations in the history of U.S. law enforcement, and evidence gathered during the bust proved critical to the conviction of General Manuel Noriega.

Mr. Mazur's story is now a best-selling novel, *The Infiltrator*; a movie is in the works.



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From New York, Mr. Mazur is a graduate of Wagner College. In 1998, he retired from a 27-year career as a special agent with the Internal Revenue Service, the U.S. Customs Service, and the Drug Enforcement Administration. Mr. Mazur is currently President of Chase & Associates, a private investigative agency based in Tampa, Florida.

*Owing to Mr. Mazur's past as an undercover agent, we request that audience members do not take photographs or video recordings of him.*

### **Mark F. Mendelsohn**

Mark Mendelsohn is a partner in the litigation department of the law firm Paul, Weiss, Rifkind, Wharton and Garrison LLP. He is also the Chair of the firm's Foreign Corrupt Practices Act (FCPA) Group.

Prior to joining Paul, Weiss, Mr. Mendelsohn served as the deputy chief of the Fraud Section of the Criminal Division of the United States Department of Justice (DOJ), and is internationally acknowledged and respected as the architect and key enforcement official of DOJ's modern FCPA enforcement program. During his time administering this program, the DOJ brought more than 50 prosecutions against corporations for FCPA and related offenses, resulting in more than \$1.5 billion in criminal penalties. Among the most notable prosecutions were *United States v. Siemens AG, et al.*; *United States v. Kellogg Brown & Root, LLC* and *United States v. Albert "Jack" Stanley*; and *United States v. Daimler AG*.

Mr. Mendelsohn earned his J.D. from the University of Virginia School of Law, and holds a B.A. from Yale University.

### **Ombudsman Conchita Carpio Morales**

Ombudsman Conchita Carpio Morales' appointment as the Philippines' chief graft buster was announced by President Benigno Aquino III in 2011.

Ombudsman Carpio Morales graduated valedictorian in elementary and in high school at Paoay Elementary School and Paoay North Institute, respectively. She earned her Bachelor of Arts (Economics) in 1964 and her Bachelor of Laws in 1968, both from the University of the Philippines (UP).

After graduation from law school, she worked at the Atienza Tabora and Del Rosario Law offices in Manila. In 1971, she joined the Department of Justice (DOJ) of the Philippines as Special Assistant to then Justice Secretary Vicente Abad Santos. After almost 12 years with the DOJ, she became a judge in 1983, when then President Ferdinand Marcos appointed her as a trial court judge in Pili, Camarines Sur. Three years later, she was appointed a trial court judge in Pasay City.

In 1994, Ombudsman Carpio Morales was appointed to the Court of Appeals, where she headed the 7th Division of the Court. On Sept. 3, 2002, upon the unanimous endorsement of the members of the Judicial and Bar Council, she was appointed to the high court by former President Gloria Macapagal Arroyo.



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During the centenary of UP in 2008, the UP Alumni Association conferred on Ombudsman Carpio Morales the Outstanding Award in Championing Justice/Judiciary "for delivering justice with courage and untrammelled integrity" -- "a shining paragon to all magistrates, worthy of emulation and respect."

### **Prof. Matthew Stephenson**

Matthew Stephenson is Professor of Law at Harvard Law School, where he teaches administrative law, legislation and regulation, and political economy of public law. His research focuses on the application of positive political theory to public law, particularly in the areas of administrative procedure, judicial institutions, and separation of powers. Prior to joining the Harvard Law School faculty, Professor Stephenson clerked for Senior Judge Stephen Williams on the D.C. Circuit and for Justice Anthony Kennedy on the Supreme Court. He received his J.D. and Ph.D. (political science) from Harvard in 2003, and his B.A. from Harvard College in 1997.

### **Judge Mark L. Wolf**

Judge Mark Wolf is the Chief Judge of the United States District Court for the District of Massachusetts. He has served as a federal judge since he received his commission in 1985, after being recommended by President Ronald Reagan.

In his position as a federal judge, Judge Wolf has handled a wide range of cases pertaining to political corruption and fraud. He has also traveled extensively, and discussed the challenges that judges face in low-income and middle-income countries with weak institutions and rampant corruption.

Judge Wolf was in the United States Army Reserve from 1969 to 1975, and was in private practice in Washington, DC from 1971 to 1974. He was a Special Assistant to U.S. Deputy Attorney General Laurence Silberman from 1974 to 1975, and a Special Assistant to U.S. Attorney General Edward Levi from 1975 to 1977. Following another stint in private practice, this time in Boston, Judge Wolf was appointed a Deputy U.S. Attorney and was chief of the Department of Justice's (DOJ) Public Corruption Unit from 1981 to 1985. Judge Wolf has been a lecturer at Harvard Law School and Boston College Law School.

Judge Wolf earned his J.D. from Harvard Law School, and holds a B.A. from Yale University.

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