

Commerce, Crime, and Human Rights Project
Questionnaire for Prosecutors

1. Have you been involved in any criminal, administrative, or regulatory enforcement actions against corporations for alleged illegal activities? Such cases may include, but are not limited to, corruption or bribery, violations of import/export sanctions, fraud, antitrust, human trafficking, violations of labour laws, child labour, and serious offenses under environmental law. If so, please describe the action and outcome. We are particularly interested in actions against multinationals with respect to offences outside the jurisdiction, though our inquiry is not limited to such cases.
2. If such actions against a corporation were successful, what made them successful and why?
3. What challenges are, in your view, the most significant in preventing prosecutions from being brought in the first place, and from being successful? In your view, what resources or other actions would have the greatest impact on the ability of prosecutors to bring and succeed in actions against corporations? (ie, additional resources, training, stronger laws, etc).
4. What incentives exist to encourage government and high-level officials to pursue such enforcement actions? Or, what motivates officials to pursue such enforcement actions?
5. How can non-governmental organizations help authorities pursue such enforcement actions (e.g., by bringing cases to the attention of prosecutors, by providing comprehensive legal briefs and supporting evidence etc.)? How can engagement between NGOs and prosecutors be made more productive and effective?
6. How can non-governmental organizations and grassroots movements best mobilize public support for corporate accountability?
7. Would you be willing to attend a meeting to discuss the above questions and your experience in general of taking enforcement action against corporations?
8. Would you be willing to review a set of principles developed by experts in corporate accountability on best practices?
9. Are there other current or former prosecutors, investigators or other government officials with experience working on corporate enforcement actions or other forms of corporate accountability with whom you recommend that we speak?

Please send responses to Katie Shay (Katie@accountabilityroundtable.org) and/or Lucy Graham (Lucy.Graham@amnesty.org).