

Webcast: FCPA Trends in the Emerging Markets of Asia, Russia, Latin America, India and Africa

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Social unrest, political upheaval, and economic instability and retrenchment defined the first year of the new decade, all against the backdrop of the COVID-19 pandemic. In emerging markets, these issues impacted efforts to reign in endemic corruption, as illustrated by headline-grabbing scandals, legislative changes, and enforcement actions. In China, for example, Chinese regulators began training their sights on corruption in key sectors, such as the pharmaceutical industry. In India, COVID-19 and the impact of recent legislative changes may be causing a reduction in local enforcement actions, even as massive corruption scandals continue and Indian citizens increasingly report that bribery and corruption are part of daily life. In Russia, the latest statistics show that law enforcement continues to focus on corruption as the country grapples with far-reaching amendments to the Constitution, severe economic losses and the spread of COVID-19. In Africa, high-profile cases involving corruption in both the public and private sector will keep regulatory focus on the continent for the foreseeable future. And in Latin America, after years of substantial anti-corruption activism resulting in sweeping legal reforms in many key markets, anti-corruption initiatives have largely stalled in the last year.

Join our team of experienced international anti-corruption attorneys to learn more about how to do business in Russia, Latin America, China, India and Africa without running afoul of anti-corruption laws, including the *Foreign Corrupt Practices Act* ("FCPA").

Topics to be Discussed:

- An overview of FCPA enforcement statistics and trends for 2020;
- The corruption landscape in key emerging markets, including recent headlines and scandals;
- Lessons learned from local anti-corruption enforcement in Latin America, China, India, Africa and Russia;
- Key anti-corruption legislative changes in Latin America, China, India, Africa, and Russia;
- The effect of COVID-19 on corruption and anti-corruption efforts; and
- Mitigation strategies for businesses operating in high-risk markets.

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PANELISTS:

F. Joseph Warin is Co-Chair of Gibson Dunn's global White Collar Defense and Investigations Practice Group, and he is chair of the Washington, D.C. office's 200-person Litigation Department. Mr. Warin is ranked annually in the top-tier by *Chambers USA*,

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Chambers Global, and *Chambers Latin America* for his FCPA, fraud and corporate investigations experience. Mr. Warin has handled cases and investigations in more than 40 states and dozens of countries involving federal regulatory inquiries, criminal investigations and cross-border inquiries by international enforcers, including UK's SFO and FCA, and government regulators in Germany, Switzerland, Hong Kong, and the Middle East. He has served as a compliance monitor or counsel to the compliance monitor in three separate FCPA monitorships, pursuant to settlements with the SEC and DOJ.

Kelly Austin is Partner-in-Charge of Gibson Dunn's Hong Kong office and a member of the firm's Executive Committee. Ms. Austin is ranked top-tier in the category "Corporate Investigations/Anti-Corruption: China" year after year by *Chambers Asia Pacific* and *Chambers Global*. Ms. Austin's practice focuses on government investigations, regulatory compliance and international disputes. She has extensive expertise in government and corporate internal investigations, including those involving the FCPA and other anti-corruption laws, and anti-money laundering, securities, and trade control laws.

Joel Cohen is Co-Chair of Gibson Dunn's global White Collar Defense and Investigations Practice Group. Mr. Cohen is highly-rated in *Chambers* and ranked a "Super Lawyer" in Criminal Litigation by *Global Investigations Review*. He has been lead or co-lead counsel in 24 civil and criminal trials in federal and state courts, and he is equally comfortable in leading confidential investigations, managing crises or advocating in court proceedings. Mr. Cohen's experience includes all aspects of FCPA/anticorruption issues, in addition to financial institution litigation and other international disputes and discovery.

Benno Schwarz is a partner in the Munich office, where his practice focuses on white collar defense and compliance investigations. Mr. Schwarz is ranked as a leading lawyer for Germany in White Collar Investigations/Compliance by *Chambers Europe 2020* and commenters have noted his "special expertise on compliance matters related to the USA and Russia". For more than 25 years, Mr. Schwarz has advised companies on sensitive cases and investigations in the context of all compliance issues with international aspects, such as the implementation of German or international laws to prevent and avoid corruption, money laundering or avoiding economic sanctions in the corporate context. Especially noteworthy is Mr. Schwarz' experience advising companies in connection with FCPA and NYDFS monitorships or similar monitor functions under U.S. legal regimes.

Patrick Stokes is a litigation partner in the Washington, D.C. office, where his practice focuses on internal corporate investigations and enforcement actions regarding corruption, securities fraud, and financial institutions fraud. Mr. Stokes is ranked nationally and globally by *Chambers USA* and *Chambers Global* as a leading attorney in FCPA. Prior to joining the firm, Mr. Stokes headed the DOJ's FCPA Unit, managing the FCPA enforcement program and all criminal FCPA matters throughout the United States covering every significant business sector. Previously, he served as Co-Chief of the DOJ's Securities and Financial Fraud Unit.

Oliver Welch is a partner in the Hong Kong office, where he represents clients throughout the Asia Pacific region in connection with government enforcement actions and corporate internal investigations, including those involving anti-corruption, anti-money laundering, and trade control laws. Mr. Welch also regularly guides companies on creating, implementing and maintaining effective compliance programs.

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