

Webcast: FCPA Trends in the Emerging Markets of Asia

Webcasts | September 27, 2022

As the global economy gradually emerges from the COVID-19 pandemic, lawmakers and regulators in Asia continue to confront the aftermath of the pandemic and the challenges it presents to anti-corruption enforcement. In this webcast, we will explore the approaches taken by Asian countries to address the current environment and examine the current trends in FCPA and local anti-corruption enforcement, with a focus on Asia. In China, while the government continues to crack down on bribery in the financial and the healthcare sectors, the anti-corruption campaign has expanded to encompass an increasingly broader swath of the national economy, such as the semiconductor industry and the insurance industry. The corporate criminal compliance regime in China has rapidly evolved in 2022, with additional national authorities joining the Third-Party Supervision and Evaluation Mechanism, which has been applied in over 1,000 cases since its launch in 2021. India has seen a number of high-profile corruption cases, including enforcement actions in the transportation and biotechnology sectors. And while Korea has seen a drastically increased focus on rooting out corruption in its public and private sectors, citizens wonder whether actual change is possible as high-profile officials and executives continue to receive pardons for past, headline-grabbing misconduct. While domestic politics and legislative amendments have made it more difficult to commence and complete anti-corruption enforcement actions in certain markets, recent cases underscore the compliance risks of doing business in many of Asia's biggest markets. Join our team of experienced international anti-corruption attorneys to learn more about how to do business in China, India, Korea and other countries in Asia without running afoul of anti-corruption laws, including the Foreign Corrupt Practices Act ("FCPA"). Topics discussed include: • An overview of FCPA enforcement statistics and trends for 2022; • The corruption landscape in Asia, including recent headlines and scandals; • Lessons learned from local anti-corruption enforcement in China, India, Korea, and South East Asia; • Key anti-corruption, data privacy and regulatory compliance changes across Asia; and • Mitigation strategies for businesses operating in Asian markets.

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PANELISTS: **Kelly Austin** leads Gibson, Dunn & Crutcher's White Collar Defense and Investigations practice for Asia, is a global co-chair of the Firm's Anti-Corruption & FCPA practice, and is a member of the Firm's Executive Committee. Ms. Austin is ranked annually in the top-tier by Chambers Asia Pacific and Chambers Global in Corporate Investigations/Anti-Corruption: China. Her practice focuses on government investigations, regulatory compliance and international disputes. Ms. Austin 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. **Oliver Welch** is a partner in the Hong Kong office, where he represents clients throughout the Asia Pacific region on a wide variety of compliance and anti-corruption issues and trade control laws. Mr. Welch regularly counsels multi-national corporations regarding their anti-corruption compliance programs and controls, and assists clients in drafting policies, procedures, and training materials designed to foster compliance with global anti-corruption laws. Mr. Welch frequently advises on anti-corruption due diligence in connection with corporate acquisitions, private equity investments, and other business transactions. **Karthik Ashwin Thiagarajan**, an of counsel in the Singapore office, assists clients with investigations in the financial services, information technology, electronics and fast-moving consumer goods sectors in India and Southeast Asia. He advises clients on internal investigations and anti-corruption reviews in the region. A client praised him for

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being “on top of his trade” in the *India Business Law Journal’s* 2019 “Leaders of the pack” report. **Ning Ning**, an associate in the Hong Kong office, advises clients on government and internal investigations, compliance counseling, and compliance due diligence matters across the Asia-Pacific region. Ms. Ning has represented clients before the U.S. Department of Justice (DOJ) and the U.S. Securities and Exchange Commission (SEC) involving potential violations of the U.S. Foreign Corrupt Practices Act (FCPA), securities laws, and other white collar defense matters. Ms. Ning regularly advises clients on internal investigations relating to allegations of corruption, fraud, and accounting irregularities. Ms. Ning also counsels clients on designing and continuously improving their anti-corruption and compliance programs, and on anti-corruption and compliance risk assessments.

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