



## Global Governance and Compliance

DLA Piper's Global Governance and Compliance group has unparalleled experience helping clients with international operations meet the evolving – and sometimes conflicting – expectations of regulatory and enforcement agencies.

With compliance-focused lawyers in over 75 offices covering more than 35 countries and their capital cities, we have the global breadth, local knowledge and industry experience to guide clients in all aspects of designing, implementing and managing compliance programs, assessing and mitigating risk, remediating compliance issues and running internal investigations.

The best compliance program in the world is worthless if it cannot be implemented effectively. Importantly, our Compliance team includes former general counsels and in-house chief compliance counsel, as well as business leaders who ensure we provide practical and actionable advice.

Regulators recognize this and often investigate whether an organization's compliance program is truly integrated, or whether it is simply a paper program. But a compliance program is equally worthless if it does not also allow you to conduct business profitably and efficiently. We understand this balance and ensure that our compliance advice and recommendations can be implemented and eliminate or mitigate a company's greatest legal risks without disrupting lawful business goals and practices.

### CAPABILITES

Partnering with our clients, we focus on the following components:

- Tone at the top and building an ethical culture
- Awareness
- Structure and governance
- Budget
- Benchmarking
- Code of business conduct and ethics
- Policy review, reconciliation and awareness
- Training
- Complaint channels and ethics hotline

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- Reporting and Metrics
- Escalation protocols

## EXPERIENCE

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Our clients include:

- A \$130 billion financial services company for which we helped build a global compliance program from the ground up while under the scrutiny of a federal monitor
- Some of the largest-in-class pharmaceutical and consumer products companies for which we have re-designed, tested and remediated global compliance programs in the world's highest-risk countries
- International airlines with operations in four continents
- Energy companies of all stripes
- A wide range of sophisticated organizations requiring support in internal investigations, such as the investigation into the use of steroids in Major League Baseball and the monitoring of Penn State University as supervised by DLA Piper Chairman Emeritus Senator George Mitchell

## ACTUALITÉS

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### Publications

#### **Preventive Medicine: Official “Antimonopoly Compliance Guidelines for Business Operators” in China**

10 December 2019

On 28 November 2019, the State Administration of Market Regulation (SAMR) released for public comment draft “Anti-Monopoly Compliance Guidelines for Operators” (the “Draft Guidelines”). These non-binding guidelines recommend measures for “business operators” subject to the Antimonopoly Law (AML) to develop and implement antitrust compliance programmes. The Draft Guidelines integrate prevailing best practices for international compliance programmes, while reflecting the unique challenges of antitrust risk management in China.

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#### **Jury acquits foreign national in apparent rebuke of DOJ's attempt to police overseas corruption**

4 December 2019

The result highlights some significant issues that may, in some cases, limit the ability of the DOJ to prosecute foreign nationals for corruption overseas.

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#### **Antitrust Matters - November 2019**

18 November 2019

### ANTITRUST MATTERS

We're pleased to share with you a new Edition of our periodical global publication Antitrust Matters

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#### **US Supreme Court denies review of *Robles v. Domino's Pizza*, opening door to more lawsuits on website and mobile app accessibility claims**

16 October 2019

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Does the ADA apply to websites and mobile apps?

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## **Treasury Department proposes regulations comprehensively implementing FIRRMA and reforming CFIUS national security review**

19 September 2019

The proposed regulations affect non-controlling investments involving critical technologies, critical infrastructure, and sensitive personal data; and transactions involving real estate near sensitive national security facilities.

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## **Brexit for the insurance sector: No-deal regimes in the UK and Europe**

17 September 2019

### **[INSURANCE HORIZONS](#)**

This guide has been prepared by DLA Piper's insurance regulation team to provide a high level overview of post-Brexit regimes that are being implemented in key EU markets, and in the UK. It is intended to help insurers and intermediaries with their planning in the run up to a possible no-deal Brexit.

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## **FTC announces Cambridge Analytica settlement**

25 July 2019

A sign that the FTC may be stepping up its pursuit of individual liability in addition to corporate liability.

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## **Updated FATF standards include interpretative note on virtual assets**

16 July 2019

The FATF updates its anti-money laundering and counter-terrorist financing standards.

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## **Proposed amendments to Canada's anti-money laundering regulations aim to close loop holes**

15 APR 2019

Long-awaited amendments to Canada's anti-money laundering regulations are set to come into effect this coming fall. A number of deficiencies in the regulations had been previously identified in reports by inter-governmental agency, the Financial Action Task Force, and the US State Department.

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## **Top of Mind: Litigation**

20 MAR 2019

In this issue, our coverage of 10 big topics businesses have been thinking about this quarter.

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## **2019 Proxy Season Hot Topics: Part 3 – SEC hedging rules, auditor report, Form 10-K changes**

15 FEB 2019

### **[2019 PROXY SEASON HOT TOPICS](#)**

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New SEC hedging rules, changes to the auditor's report, changes to Form 10-K cover pages and exhibit hyperlinks.

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### **Keeping watch on smartphone app payments in China**

7 FEB 2019

Now could be a good time to think about the level of transparency your company may have in connection with smartphone app payments by your employees.

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### **Top of mind: Litigation**

10 DEC 2018

Our coverage of big compliance, enforcement and litigation issues that businesses are thinking about this quarter.

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### **Global Anticorruption Newsletter**

5 DEC 2018

DLA Piper's *Global Anticorruption Newsletter* offers practical guidance on complying with international bribery laws.

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### **CFIUS pilot program mandates declarations for certain non-controlling investments in critical technologies**

17 OCT 2018

The pilot program covers critical technologies in 27 industries.

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### **Four tips for an effective eDiscovery plan in China**

19 SEP 2018

A timely and well-documented eDiscovery plan, comprehensively addressing compliance with local laws, can also go a long way to address potential post-collection inquiries.

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### **The Second Circuit rules against DOJ's aggressive assertion of extraterritorial FCPA jurisdiction over foreign accessories**

29 AUG 2018

The ruling stands to limit DOJ's ability to bring FCPA charges against foreign nationals who do not travel to the US.

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### **The GDPR's impact on internal investigations**

10 JUL 2018

The impact of the European Union's General Data Protection Regulation on corporate internal investigations and criminal and civil

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litigation – both within the EU and abroad – has received little attention. Here, we take a look at the GDPR's privacy requirements through the lens of internal investigations and litigation.

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### **International HR and employee discipline issues in FCPA matters**

10 JUL 2018

Local laws, practices and cultural differences mean that the differences between investigations from one country to another, and the consequences of failing to understand them, can be significant. Here are some of the key considerations for multinational employers when they are conducting cross-border investigations.

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### **Super-apps complicate corporate compliance, pose heightened risks under FCPA Corporate Enforcement Policy**

10 JUL 2018

Super-apps allow seamless interaction between colleagues, customers, suppliers and other business parties. In some jurisdictions, local employees communicate exclusively via such apps – but this conduct presents grave legal, compliance and risk-management challenges.

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### **Declinations for self-reporting on the rise under FCPA Pilot Program and Corporate Enforcement Policy**

10 JUL 2018

The DOJ appears to be following through on its pledge to increase declinations in exchange for self-reporting potential FCPA violations.

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### **Crypto industry sweep: ICOs and token offerings under increasing scrutiny by US regulators**

18 APR 2018

Recent enforcement developments targeting the cryptocurrency community, and the opportunities and challenges that lie ahead.

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### **DLA Piper's 2016 Compliance & Risk Report: What CCOs need to know**

19 APR 2016

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### **Mexico's new National Anticorruption System: 7 key points**

20 JUL 2015

Constitutional reform regarding the creation of the National Anticorruption System

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### **Third parties: 4 FCPA takeaways for working with distributors**

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24 SEP 2014

Four key challenges and related “cures”

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## NEWS

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### **DLA Piper launches its Global Litigation Guide**

3 December 2019

DLA Piper has launched its ‘Global Litigation Guide’, which covers aspects of civil litigation in 30 jurisdictions worldwide.

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### **DLA Piper continues to boost CEE region capability with new hires in Poland**

5 September 2019

DLA Piper today announces the appointment of eight new lawyers in its Warsaw office into three key practice areas of Corporate, Finance & Projects (F&P) and Litigation & Regulatory. These hires follow the recent appointment of corporate partners Marek Sawicki and Jakub Marcinkowski from CMS.

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### **DLA Piper announces launch of Artificial Intelligence practice**

14 MAY 2019

DLA Piper announced today the launch of its Artificial Intelligence practice, which will focus on assisting companies as they navigate the legal landscape of emerging and disruptive technologies, while helping them understand the legal and compliance risks arising from the creation and deployment of AI systems.

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### **DLA Piper establishes Litigation Regulatory offering in Dublin with partner hire**

18 APR 2019

DLA Piper today announces the appointment of Caoimhe Clarkin as a Litigation & Regulatory partner in the firm's Dublin office. This is the seventh partner hire for DLA Piper in Dublin this year.

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### **DLA Piper announces partnership promotions for 2019**

1 APR 2019

DLA Piper is proud to announce that 77 lawyers have been promoted to its partnership. The promotions are effective as of April 1, 2019 in the United States and May 1, 2019 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 43 different offices throughout 20 countries.

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### **DLA Piper announces launch of Blockchain and Digital Assets practice**

26 FEB 2019

DLA Piper announced today the launch of its Blockchain and Digital Assets practice, which will offer strategic advice on a global

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basis to address the needs of companies implementing blockchain technology solutions and creating and deploying digital assets.

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### **Kate Brown de Vejar joins DLA Piper as global co-chair of International Arbitration**

22 JAN 2019

DLA Piper announced today that Kate Brown de Vejar has joined the firm's Litigation practice as a partner in Mexico City and New York.

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### **2018 Compliance & Risk Report: Compliance Settles In, Personal Liability Concerns Persist and Technology Emerges as the Next Frontier**

15 NOV 2018

Although corporate compliance officers (CCOs) received greater support for their programs, concerns about personal liability increased over the past year, according to a new survey released by DLA Piper.

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### **DLA Piper and IKM Advocates secure victory for the Republic of Kenya defeating a US\$2 billion ICSID claim**

24 OCT 2018

In a decisive victory for the Republic of Kenya, DLA Piper and DLA Piper Africa member firm, IKM Advocates, have successfully defeated the claim estimated to be worth US\$2 billion in arbitration proceedings brought by a mining investor, Cortec Mining Kenya Limited. The claim was brought under the bilateral investment treaty (BIT) between the UK and Kenya dated 13 September 1999. The arbitration took place under the auspices of the World Bank's International Centre for Settlement of Investment Disputes (ICSID), with the hearing taking place in Dubai in January 2018. The Tribunal issued its award on 22 October 2018.

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### **DLA Piper hosts inaugural Afghanistan-UK Business Conference**

18 SEP 2018

DLA Piper's London office yesterday hosted the first Afghanistan-UK Business Conference, organised by the Embassy of the Islamic Republic of Afghanistan in London and the International Chamber of Commerce in Afghanistan. The event, aimed at further enhancing Afghanistan-UK bilateral business, trade and investment relations, was attended by over 100 participants including public and private sector leaders, potential investors, NGOs and consultants, amongst others.

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### **DLA Piper's GTGA team named Sanctions Law Firm of the year 2018**

27 JUL 2018

DLA Piper's Global Trade and Government Affairs (GTGA) team has been named Sanctions Law Firm of the year, Europe, at this year's WorldECR Awards.

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### **DLA Piper hires financial services and insurance sector team in Belgium**

2 JUL 2018

DLA Piper in Antwerp has today been joined by a team of financial services and insurance sector lawyers from Baker McKenzie.

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### **DLA Piper secures victory for Transatel SA in landmark telecoms dispute**

20 JUN 2018

DLA Piper has secured a victory for the French telecommunications service provider, Transatel SA, in a dispute under telecommunications law before the Federal Network Agency (BNetzA). In this landmark procedure, the BNetzA ordered the German mobile network operator, Telefónica Germany GmbH & Co. OHG, to submit a draft agreement regarding access to regulated wholesale roaming services to Transatel.

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### **DLA Piper announces partnership promotions for 2018**

3 APR 2018

DLA Piper is proud to announce that 62 lawyers have been promoted to its partnership. The promotions are effective as of 1 April 2018 in the United States and 1 May 2018 for EMEA and Asia Pacific. The promotions were made across many of the firm's practice areas in 42 different offices throughout 20 countries.

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### **DLA Piper Africa advises Adenia Partners on acquisition of controlling stake in Kanu Equipment Limited**

23 MAR 2018

Kanu has been driving an expansion strategy across Sub-Saharan Africa in recent years and the business now operates in 13 countries, servicing the agriculture, construction and mining industries.

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### **DLA Piper advises Timor-Leste on historic maritime treaty**

6 MAR 2018

DLA Piper has been advising the Government of Timor-Leste, for more than four years, on its historic maritime treaty with the Australian Government, signed today at the United Nations Headquarters in New York, following the successful outcome of a compulsory conciliation process.

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### **Four DLA Piper partners recognised in Jeune Afrique's Top 50 Lawyers in Francophone Africa 2017**

20 FEB 2018

DLA Piper is delighted to congratulate Litigation & Regulatory partners Michael Ostrove and Alexander Brabant, Finance & Projects partner Eric Villateau, and Corporate partner Christophe Bachelet, on their inclusion in *Jeune Afrique's* Top 50 Business Lawyers in Francophone Africa 2017 rankings. This year, more DLA Piper lawyers than ever before have been awarded a place on the rankings, with partners scoring individual record rankings for the firm.

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