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CROSS-BORDER CORPORATE ENFORCEMENT

National Security and Corruption



the global voice of
the legal profession

VIEW MATERIALS: EXPORT CONTROLS | FIRESIDE CHAT WITH MATTHEW AXELROD

U.S. Department of Commerce's Bureau of Industry and Security

Moderated by | Ama Adams, Head of International Trade Practice, DC Office Managing Partner, Ropes & Gray



UNVEILING SIGHTS

Highlights from the IBA's 2024 Global Anti-Corruption Survey



DIRECTOR, LEGAL PROJECTS
INTERNATIONAL BAR ASSOCIATION

SARA CARNEGIE



LEGAL PROJECTS MANAGER
INTERNATIONAL BAR ASSOCIATION

GEORGE ARTLEY



PARTNER
PAUL WEISS

MARK MENDELSON

AGENDA

1. Findings from 2010
2. Perception of change since 2014
3. Training
4. Awareness
5. Reporting



01

FINDINGS FROM 2010

RISKS AND THREATS OF CORRUPTION AND THE LEGAL PROFESSION

Survey 2010

- 1 in 2 affected by corruption
- Dangerous lack of awareness
- Low bar and law firm engagement



*How common is
corruption in 2024?*

HOW COMMON IS CORRUPTION IN 2024?

- 1 in 2 say it is common, globally
- Falls to 1 in 4 in North America
- As high as 9 in 10 in Africa, and 6 in 10 in Latin America



03

PERCEPTION OF CHANGE SINCE 2014



PERCEPTION OF CHANGE SINCE 2014

- 45% saw an increase in corruption, globally
- 30% increase in North America. 50% saw no change
- Catastrophic increases in Africa and Latin America



04

TRAINING

TRAINING

- Anti-corruption: 66%
- AML: 72%
- North America and Africa identical levels
- Lowest levels in Asia Pacific and Arab RF

TRAINING

- 52% of law firms globally provide training
- 40% in total said Bars and law societies
- 53% in North America say firms, and 51% in total said Bars and law societies
- Bar Guidelines: 1 in 3
- 77% of law firms have a policy (74% in NA)
- Only 62% globally are easily accessible and publicly available



05

AWARENESS

78% are aware
of relevant international laws



1 in 3 in Africa,
3 in 4 in Latin America



AWARENESS

Increases to 90% in
North America





06

REPORTING

REPORTING

[View IBA Survey Results Here](#)

- Over 1 in 3 globally won't report
- 1 in 5 in North America
- Nearly 40% in Latin America, 32% in Arab RF, and 45% in Africa

VIEW MATERIALS: NATIONAL SECURITY CORPORATE ENFORCEMENT | FIRESIDE CHAT WITH EUN YOUNG CHOI

Deputy Assistant Attorney General, National Security Division, U.S. Department of Justice

Moderated by | Adam Hickey, Partner, Mayer Brown



VIEW MATERIALS: CFIUS | FIRESIDE CHAT WITH PAUL ROSEN

Assistant Secretary for Investment Security, U.S. Department of Treasury

Moderated by | Tim Keeler, Co-Leader of International Trade Practice, Mayer Brown



VIEW MATERIALS: COMPARATIVE APPROACHES TO CORRUPTION ENFORCEMENT

Glenn Leon, Chief, Fraud Section Criminal Division, U.S. Department of Justice

Sara Chouraqui, Joint Head of Bribery, Fraud and Corruption, UK Serious Fraud Office

Moderated by | Sonali Patel, Partner, Mayer Brown



SPEAKER BIOS



DIRECTOR, INTERNATIONAL BAR
ASSOCIATION

SARA CARNEGIE

Sara is an employed barrister with over 20 years' experience in the criminal justice and public policy sector. The majority of her career has been spent working for government, most recently as Director of Strategic Policy at the Crown Prosecution Service.

Sara has led the legal teams on two public inquiries (The Baha Mousa Inquiry and the Detainee Inquiry) and spent several years as a legal and policy advisor to the Senior Presiding Judge and Lord Chief Justice of England and Wales. She has sat in a judicial capacity on the Council of the Inns of Court Disciplinary Tribunal between 2013 and 2020 and was appointed as a reviewer for the National Child Safeguarding Practice Review Panel in 2019.

She currently heads up the Legal Policy and Research Unit at the International Bar Association, working across all Committees and Divisions to lead and support a wide range of IBA projects. This frequently involves collaboration with external stakeholders, including the United Nations, Organisation for Economic Co-operation and Development (OECD), European Union institutions and World Bank. Current projects cover business and human rights, anti-corruption, rule of law, cybersecurity and mental well-being in the legal profession.



LEGAL PROJECTS MANAGE,
INTERNATIONAL BAR ASSOCIATION

GEORGE ARTLEY

As an undergraduate George studied history at the University of Oxford, before training as a commercial lawyer at Macfarlanes LLP in the City of London. He then returned to Oxford for graduate study, where he undertook a DPhil. In legal history, focusing on the political origins of the rule of law and judicial independence in England.

As BIC Project Lawyer, his role is to assist the BIC in co-ordinating and implementing projects that exclusively support member bar associations and law societies, including capacity assistance projects to developing bars, BIC Policy Committee projects, and projects involving the BIC International Trade & Legal Services committee.



HEAD OF INTERNATIONAL TRADE
PRACTICE, DC OFFICE MANAGING
PARTNER, ROPES & GRAY

AMA ADAMS

Ama Adams is managing partner of the Washington, D.C. office and a partner in the Litigation and Enforcement practice at Ropes & Gray. She has over 20 years of experience advising clients on international transactions and the U.S. government's regulation of trade and investment. This includes most notably export controls, economic sanctions, anti-corruption and anti-money laundering, foreign direct investment and customs laws and regulations. She advises clients on these complex issues in a range of industries, including the financial services, aviation, biotechnology, life sciences, oil and gas, manufacturing, technology, and chemical sectors.

In addition to advising clients on the application of international trade regulations to their global business operations, Ms. Adams also assists clients in developing compliance programs, handling pre-and post-acquisition due diligence, conducting internal investigations relating to potential violations of trade laws and representing clients before the U.S. government agencies in connection with, license requests, enforcement matters, and government inquiries. She also advises clients on cross-border investment and national security matters, including national security reviews and investigations before the Committee on Foreign Investment in the United States (CFIUS). Ms. Adams has successfully represented a number of foreign and domestic clients through the CFIUS clearance process and regularly advises clients on managing CFIUS risks across investment scenarios.



ASSISTANT SECRETARY FOR EXPORT
ENFORCEMENT, U.S. DEPARTMENT OF
COMMERCE'S BUREAU OF INDUSTRY AND
SECURITY

MATTHEW AXELROD

Matthew S. Axelrod currently serves as the Assistant Secretary for Export Enforcement at the U.S. Department of Commerce's Bureau of Industry and Security, a position to which he was unanimously confirmed by the United States Senate in December 2021.

In this capacity, Matt leads a cadre of special agents and analysts dedicated to a singular mission – keeping our country's most sensitive technologies out of the world's most dangerous hands. Matt and his team help protect U.S. national security by enforcing the country's export control laws. They work to prevent exports of sensitive goods and technologies that can be put to malign purposes like weapons-of-mass-destruction proliferation, military and military-intelligence applications, terrorism, and human rights abuses. They also work to ensure that U.S. persons do not participate in unsanctioned foreign boycotts. Matt also co-leads the Disruptive Technology Strike Force, an interagency law enforcement strike force that targets illicit actors, protects supply chains, and prevents critical technology from being acquired by authoritarian regimes and hostile nation-states.



CHAIR OF ANTI-CORRUPTION AND FCPA
PRACTICE, PAUL WEISS

MARK MENDELSON

A partner in the Litigation Department of Paul Weiss, Mark Mendelsohn is Chair of the Anti-Corruption & FCPA Group, and a member of the White Collar and Regulatory Defense, Internal Investigations and Securities Litigation Practice Groups. Prior to joining Paul, Weiss, Mark 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 Foreign Corrupt Practices Act (FCPA) enforcement program.

Mark's practice emphasizes white collar matters, internal corporate investigations and compliance counseling. He regularly represents clients in FCPA and corruption-related internal investigations, designing and implementing compliance programs, transactional anti-corruption diligence and responding to and defending against government investigations, prosecutions and trials on behalf of both business entities and individuals.



DEPUTY ASSISTANT ATTORNEY GENERAL
NATIONAL SECURITY DIVISION, U.S.
DEPARTMENT OF JUSTICE

EUN YOUNG CHOI

Eun Young Choi serves as a Deputy Assistant Attorney General in the National Security Division of the U.S. Department of Justice. She supervises three sections: the Counterintelligence and Export Control Section, the Foreign Investment Review Section, and the National Security Cyber Section. Prior to joining NSD, Choi served as the inaugural Director of the National Cryptocurrency Enforcement Team. She also served as Senior Counsel to the Deputy Attorney General, advising on cyber and cryptocurrency-related issues across the Justice Department. Previously, Choi was an Assistant U.S. Attorney for the Southern District of New York, where she was the office's Cybercrime Coordinator and investigated and prosecuted cyber, fraud, and money laundering crimes, with a particular focus on network intrusions, digital currency, the dark web, and national security investigations. Prior to joining the Justice Department, Choi was an associate at Williams & Connolly LLP and served as a law clerk to the Honorable Naomi Reice Buchwald of the U.S. District Court for the Southern District of New York and the Honorable Reena Raggi of the U.S. Court of Appeals for the Second Circuit. She is a graduate of Harvard College and Harvard Law School.



PARTNER, MAYER BROWN

ADAM HICKEY

Adam Hickey offers clients extensive experience in cybersecurity, sanctions, export controls, the Foreign Agents Registration Act (FARA), CFIUS, and other national security authorities.

Prior to joining Mayer Brown, he was a Deputy Assistant Attorney General (DAAG) of DOJ's National Security Division (NSD) and an Assistant United States Attorney in the Southern District of New York (SDNY). He draws on more than 15 years of experience at DOJ handling high-profile national security matters intersecting with the private sector.

As DAAG, Adam led investigations of companies and foreign governments for violating U.S. laws and negotiated complex corporate resolutions, often in fraught geopolitical contexts, and he spearheaded reforms of DOJ's FARA enforcement program.

Adam also established the Department's national security cyber program, dedicated to combatting malicious cyber activity by foreign intelligence services, and he supervised DOJ's role on CFIUS and related committees, focusing on data security and data privacy risks.

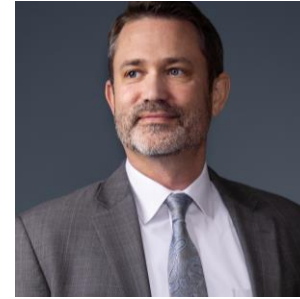


ASSISTANT SECRETARY FOR INVESTMENT
SECURITY, U.S. DEPARTMENT OF
TREASURY

PAUL ROSEN

Paul Rosen serves as the Assistant Secretary of the Treasury for Investment Security. Nominated by the President and confirmed with bipartisan support by the United States Senate on May 23, 2022, Mr. Rosen leads all operations and activities of the Committee on Foreign Investment in the United States (CFIUS), the interagency Committee authorized by Congress to review certain foreign investment into U.S. businesses for national security risks. He oversees the review of hundreds of transaction filings each year often amounting to hundreds of billions of dollars in investment activity and is responsible for managing the Committee's recommendations to the President to suspend or prohibit transactions that threaten to impair the national security of the United States. He also guides the Committee's policy and international relations activities as well as the monitoring, compliance and enforcement of national security agreements executed to mitigate national security risk.

Mr. Rosen has more than 15 years of experience in national and homeland security and law enforcement matters. Prior to joining Treasury, Mr. Rosen served as a partner at an international law firm where he led the firm's national security practice and counseled on cybersecurity, privacy, and government investigations matters. Before joining private practice, Mr. Rosen served in public service for over a decade in senior roles in the federal government, including as Chief of Staff at the Department of Homeland Security and in various roles at the Department of Justice, including as a federal prosecutor in the Criminal Fraud Section, where he investigated and prosecuted financial crimes. For this work, Mr. Rosen was recognized by the Council of the Inspectors General on Integrity and Efficiency with the Investigative Award of Excellence.



CO-LEADER OF INTERNATIONAL TRADE
PRACTICE, MAYER BROWN

TIM KEELER

Tim Keeler is a Partner at Mayer Brown, and the Co-Head of the Firm's International Trade Practice. He joined Mayer Brown in 2009 after a varied career in the US Government, serving at the Office of the US Trade Representative (USTR), the US Treasury Department (which chairs CFIUS), and the US Senate Finance Committee. In recognition of his government service, Tim was awarded the USTR Distinguished Service Award, the Treasury Distinguished Service Award, and the Treasury Secretary's Honor Award twice.

He advises clients on all aspects of CFIUS work, including assessing whether prospective transactions raise national security issues; advising whether a transaction is subject to mandatory filing pursuant to CFIUS regulations; advising on how to structure transactions to mitigate national security concerns while achieving business objectives; preparing Notices to file with CFIUS; and negotiating mitigation agreements to satisfy CFIUS concerns.



CHIEF, FRAUD SECTION CRIMINAL
DIVISION, U.S. DEPARTMENT OF JUSTICE

GLENN LEON

Glenn is the Chief of the Fraud Section of the Criminal Division at the U.S. Department of Justice. In this capacity, Glenn oversees over 150 federal prosecutors nationwide and supervises federal criminal investigations and prosecutions involving securities fraud, commodities fraud, healthcare fraud, government procurement fraud, federal bribery offenses, and violations of the Foreign Corrupt Practices Act. Glenn rejoined the Fraud Section last year after previously serving as an Acting Deputy Chief in the Fraud Section's Securities and Financial Fraud Unit.

Glenn also served as an Assistant U.S. Attorney for the District of Columbia for twelve years, where he prosecuted white collar, organized crime, and homicide cases. During his 17 years as a federal prosecutor, Glenn tried more than 25 jury trials.

Prior to rejoining the Department of Justice, Glenn served as Senior Vice President and Chief Ethics and Compliance Officer at a Fortune 100 company for over seven years. In that role, he was responsible for the strategic direction and oversight of the company's ethics and compliance program, including all internal and external investigations of legal and ethics violations. He provided legal counsel to ensure adherence to the law and industry standards on matters including anti-corruption issues, securities and accounting fraud, and export controls. His team was also responsible for leading the company's compliance with privacy, global trade, social and environmental sustainability and human rights matters.



JOINT HEAD OF BRIBERY, FRAUD AND
CORRUPTION, UK SERIOUS FRAUD OFFICE

SARA CHOURAQUI

Sara Chouraqui is the Joint Head of Bribery, Fraud and Corruption at the Serious Fraud Office in London. Sara leads and oversees a number of the Office's most significant cases. She is a member of the NY Bar, the French Bar and the UK bar and practiced as a defense lawyer in the three jurisdictions. She joined the SFO's Airbus prosecution team in January 2019. In December 2019 she assumed her current position. In her role, Sara reviews and approves operational decisions, including investigative steps, criminal charges, corporate resolutions and other case dispositions. She represents the Office with foreign and domestic enforcement counterparts and actively participates in the design, development, and implementation of corporate criminal enforcement policy initiatives. Sara also supervises trials of individual defendants, including by advising on and reviewing criminal charges, trial strategies and trial techniques. Finally, she advises the Director of the SFO as part of the Senior Management Team on case intake decisions. In part thanks to her background Sara has been involved in a number of the SFO's corporate resolutions.



PARTNER, MAYER BROWN

SONALI PATEL

Sonali D. Patel offers clients an understanding of how the DOJ and foreign authorities approach enforcement matters with extensive experience handling complex cross-border investigations, including those involving foreign corruption, fraud, money laundering, tax evasion, and national security matters.

Sonali brings ten years of experience at the Department of Justice to her work at the firm. She previously served as assistant chief of the Foreign Corrupt Practices Act (FCPA) Unit of the Department of Justice. Prior to being appointed as assistant chief, Sonali served as a trial attorney within the FCPA Unit. During her time in the Unit, Sonali worked on matters involving the SEC, CFTC, and numerous international law enforcement agencies. Sonali was previously an assistant United States attorney for the US Attorney's Office for the District of Columbia, where she tried numerous cases.

While at DOJ, Sonali led more than 50 FCPA-related investigations, including the agency's Houston-based PDVSA cases, where 29 defendants were charged in an international money laundering scheme involving bribes made to Venezuela's state-owned energy company, Petróleos de Venezuela. During her time in the FCPA unit, Sonali also worked on some of unit's most significant individual prosecutions. As an AUSA, Sonali focused on fraud, public corruption, cyber crime and violent crime investigations.



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