

The ACR Brief

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Anti-Corruption Compliance in Brazil

Last week, we attended ACI's 35th Annual International Conference on the Foreign Corrupt Practices Act. As has been the case at many recent events, one theme emphasized by the government speakers at the conference was that international enforcement is on the rise, mainly due to the efforts in a handful of countries. Brazil was the standout, with Charles Cain, the [newly appointed](#) head of the FCPA Unit at the SEC, calling its enforcement efforts "truly amazing." Similarly, Dan Kahn, head of the FCPA Unit at the DOJ, indicated that U.S. officials are using evidence gathered by Brazilian prosecutors to build U.S. cases against individuals.

With that in mind, companies may want to examine their compliance programs in Brazil. Eloy Rizzo, a partner at Koury Lopes Advogados in São Paulo, [recently shared](#) with our readers eight insider tips for conducting effective anti-corruption investigations in his country. One thing that companies must be aware of, Rizzo said, is that it is not uncommon for information provided to the Brazilian government to be leaked to the press. Accordingly, he advised, companies should anticipate that all documents or testimony provided to the government will, at some point, be publicly disclosed and adjust their strategy accordingly.

We also recently spoke with [K2 Intelligence's Snežana Gebauer](#), a specialist in Brazilian due diligence. In her interview, she explained that a company's process for vetting third parties is particularly crucial in Brazil because the country's "highly bureaucratic, complicated regulatory environment" makes it more likely that a third party will interact with a foreign official on the company's behalf. But, gathering information on local third parties can be challenging, she said, because information may be hard to find or unreliable. Gebauer recommends using investigators who not only speak Portuguese but who have "local knowledge of the conditions in Brazil."

Our archive contains a wealth of information on Brazilian compliance and enforcement. To read more about this critical topic, follow any of the Further Reading links below or visit the [Brazilian Anti-Corruption Law section of our archive](#). If you have local compliance experience in Brazil and are interested in sharing it with other compliance professionals, please reach out to our editorial staff.

Warmly,

Nicole Di Schino and Megan Zwiebel

Editor-in Chief and Senior Editor