

The ACR Brief

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Global Cooperation Means Global Accountability

As demonstrated by this week's massive French and U.S. settlement with Société Générale, the first coordinated settlement between the two countries, the increasingly close and collaborative relationships between regulators, with some reportedly keeping in touch via [WhatsApp to communicate about anti-corruption investigations](#), is shifting the compliance landscape. Given that dealing with multiple jurisdictions will likely be a reality for many companies, what does a compliance program look like that satisfies standards that sometimes differ across regimes?

More direction about what regulators are seeking in a compliance program may emerge as jurisdictions adopt resolution tools such as deferred prosecution agreements, either following the lead of the U.S., where judges play a minimal role, or [the U.K.](#), where judges play a larger role. It is "interesting to see how other jurisdictions adjust the DPA model to fit their own jurisprudence," SFO's Joint Corruption & Bribery Head Camilla de Silva [said](#).

We recently shared an [insider's take](#) on the new French DPA regime, and SocGen gives us a chance to see it in action. Singapore has also [adopted DPA-style resolutions](#). Lawmakers in Switzerland, Poland, Australia and Canada are considering DPA models. [Brazilian agencies](#) continue to release guidance on their leniency agreements.

Of course, the anti-corruption laws undergirding these policies have differences – we wrote about [one tool to compare them](#) – but there are [common core elements](#) of a robust compliance program all regulators expect companies to have. Remediation and [cooperation](#) are key in achieving a favorable resolution across jurisdictions. SocGen itself was hurt by its lack of [self-reporting](#). Our full analysis of that case and its implications will be in a forthcoming issue of ACR.

We continue to analyze how companies can design their programs to be compliant around the world – and explain what to expect when across the table from a regulator. As always, if you would like to share your experience or advice on handling global anti-corruption issues, please let us know.

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