

**University of Miami School of Law**  
**INTERNATIONAL ANTI-CORRUPTION LAW AND PRACTICE**  
**COURSE SYLLABUS (with cases in text added), Spring 2020**

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**Course Materials:** *The required textbook is Koehler, Mike, **The Foreign Corrupt Practices Act in a New Era**, Edward Elger Publishing Limited (2017 edition), plus copies of guides, statutes, articles and cases listed in this Syllabus or provided later.*

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**Week 1**

Introduction to Anti-Corruption Law and the FCPA

- Readings: The FCPA of 1997, 15 U.S.C. 78dd-1 (*DOJ Resource Guide*, pp.92-102); Textbook, pp. x – xxiii.

**Week 2**

The FCPA - the Need for a U.S. Anti-Corruption Law: Legislative History

- Readings: Textbook, Chapter 1 (pp. 1-31); “The Bribe Factory” Case Study

**Week 3**

Getting into the Details: The elements of a bribe

- Readings: Textbook, Chapter 3 (pp. 79-106); *DOJ Resource Guide*, pp. 17-23

**Week 4**

The Jurisdictional Reach of the U.S. Government & Affirmative Defenses

- Readings: Textbook: Chapter 3 (pp.107-135); *U.S v. Hoskins*, 902 F.3d 69 (2d Cir. 2018); *United States v. Hoskins*, No. 3:12CR238 (JBA), 2019 WL 3890831, at \*1 (D. Conn. Aug. 19, 2019); *United States v. Firtash*, 392 F. Supp. 3d 872 (N.D. Ill. 2019)

**Week 5**

Respondeat Superior & Foundation of Liability/Culpability under the FCPA

- Readings: Textbook, Chapter 2 (pp. 46-78); *DOJ Resource Guide*, pp. 1-16

**Week 6**

Corporation v. Individual: How does the U.S. Government determine whom to charge?

- Readings: Textbook, Chapter 5 (pp.193-228); *DOJ Resource Guide*, p. 52-55; *Yates Memo*

### **Week 7**

#### International Anti-Corruption Enforcement, Continued: Cross-Border Prosecutions and Interpol

- Readings: Textbook, Chapter 7 (pp.260 – 267); selected articles relating to the FIFA, Odebrecht and Bonny Island scandals; *Constitution of ICPO-Interpol* (pp.1-9).

### **Week 8**

#### Extradition in Corruption Cases: Treaties; Dual Criminality; Rule of Specialty

- Readings: *Gallo-Chamorro v. United States*, 233 F.3d 1298 (11th Cir. 2000); *United States v. Cuevas*, 496 F.3d 256 (2d Cir. 2007): class handout

### **Week 9**

#### International Anti-Corruption Enforcement: OECD, UK and UN

- Readings: OECD Convention on Combatting Bribery of Foreign Officials in International Business Transactions (pp. 1 – 50)
- Selected article on the UK Anti-Bribery Act.

### **Week 10**

#### Reasons for increase in Anti-Corruption enforcement

Readings: Textbook, Chapter 6, (pp. 234 – 260); selected articles.

### **Week 11**

#### Minimizing Risk: How can companies and individuals ensure compliance with the FCPA?

Readings: Textbook, Chapter 8 (pp.304-339); *DOJ Resource Guide*, pp. 56-67.

### **Week 12**

#### The Future of The FCPA and Anti-Corruption Law and Practice

- Readings: Textbook, Chapter 9 (pp.340-386).

### **Week 13**

- Review session