

## **What Transparency International Chapters Around the World Are Saying About the 2023 Foreign Extortion Prevention Act (FEPA)**

### **Transparency International Kenya**

“Transparency International Kenya strongly supports the proposed anti-bribery law, the U.S. Foreign Extortion Prevention Act (FEPA). This legislation is a crucial step in combating corruption and promoting ethical business practices globally. By making it a crime for foreign officials to demand or receive bribes from U.S. companies, as well as individuals within the United States, FEPA sends a powerful message that corruption will not be tolerated. We believe that such measures are essential in creating a level playing field for businesses, protecting the integrity of international transactions, and fostering transparent and accountable governance. We commend the efforts to strengthen anti-bribery laws and call for the global community to support initiatives like FEPA in the fight against corruption.”

### **Civil Society Legislative Advocacy Centre/Transparency International Nigeria**

“In the last three decades, Nigeria has seen numerous bribery cases involving high-level state officials being involved in bribes. An example of this was seen in 2009, when Kellogg Brown & Root LLC, a company headquartered in Texas, was made to pay a \$402 million fine in Foreign Corrupt Practices Act-related charges. This was part of a wider bribery scheme involving Nigerian politicians. It is our view that while the FCPA covers the supply side (in this case, companies registered in the US, those that have their stock listed on the US stock exchange or those who committed acts in furtherance of their bribes in the US), FEPA will provide balance by ensuring that the demand side will also be covered. And for us, this is very important because Nigerian officials will understand that there are far-reaching transnational consequences when they attempt to demand bribes and kickbacks. It will also create a positive environment for investors.”

### **Transparency International Zambia**

“It is encouraging to see the US taking the lead in putting the FEPA in place. We are convinced that the impact of this law will extend beyond the borders of the US. Zambia receives a significant amount of development cooperation from the US, including through foreign investment by US entities. We believe the principles that the FEPA espouses will help to enhance our own accountability and integrity

architecture as a country, and consequently contribute to the strengthening of our broader fight against corruption.”

### **Transparency International Malaysia**

“FEPA is a brilliant idea and would add value to our anticorruption work. Currently, Malaysia has a law called the ‘Malaysian Anticorruption Act’ that can be used to prosecute both the receiver and the giver of a bribe, including a foreign company and or foreign individual. If the United States was to have FEPA, it would build on our Act and help us work with the Malaysian government to hold corrupt officials accountable.”

### **The Association for a More Just Society (Honduras)**

“FEPA has the potential of becoming a gamechanger in countries like Honduras, where national governments are unable or unwilling to prosecute officials due to their political or economic connections. For example, during the Covid-19 pandemic, a company registered in the US sold seven mobile hospitals worth 50 million dollars of Honduran taxpayers’ money. Unfortunately, the hospitals were made of junk parts, reused medical equipment, and were not functional to treat Covid patients. It is widely believed that in order to effectuate the sales, Honduran officials solicited and received bribes from the company. Yet one year after the scandal, only two Honduran officials have been prosecuted, and the U.S. supplier remains at-large, as there are strong suspicions that a corrupt network of government officials is influencing the justice system.”

### **Transparency International Lebanon**

“FEPA can play a pivotal role in reducing endemic corruption in Lebanon. In a country with weak oversight institutions, and poor judicial system, FEPA can contribute to creating a deterrent effect on public officials asking for bribes to facilitate businesses in Lebanon, especially in the context of the current negotiations on reforms needed with the IMF.”

### **Transparency International Czech Republic**

“The possibility of punishing foreign officials for bribe demands that affect their local citizens is crucial in fighting corruption not only in the country itself, but, given the international nature of corruption, also worldwide. FEPA will create such a possibility and send a strong message to foreign officials that cross-border corruption is not tolerated in the US and will be prosecuted accordingly.”

### **Ghana Integrity Initiative**

"Actions intended to supply *or* demand bribes must be controlled by anti-bribery laws if equity in development and poverty reduction will make every life matter. Otherwise, if countries, whether developed or underdeveloped, function with bribery-neutral laws, they risk being able to achieve their poverty reduction-related Sustainable Development Goals (SDGs) and research and advocacy organisations risk failing their countries and losing their relevance if they don't make their voices heard in the face of the debilitating impact of bribery."

### **Transparency International Cambodia**

"We strongly support the US government and Congress to pass the Foreign Extortion Prevention Act. FEPA is an effective legal and regulatory framework that will promote transparency and accountability in business conduct and fair business competition. FEPA will not only protect American companies from extortion and bribery but also support the foreign government, including Cambodia, in its efforts to fight against corruption."

### **Transparency Venezuela**

"We think that FEPA would be a good tool for going after corrupt officials in Venezuela. The prosecutor's office can prosecute petty corruption, but they cannot go after high-ranking officials, senior civil servants, or grand corruption. Grand corruption is rampant in Venezuela, and does not only involve high officials, but also the people who have worked with them, many of whom have companies in the U.S."

### **Transparency International Sri Lanka**

"Transparency International Sri Lanka (TISL) welcomes the United States' initiative to adopt and enforce the Foreign Extortion Prevention Act (FEPA). Corruption in this day and age is transnational in terms of its source as well as impact, and anti-corruption efforts need to be adapted to address this reality. Many countries such as Sri Lanka are engulfed in widespread, systemic corruption as well as grand collusive corruption enabled by kleptocracies, leading to dysfunctional law enforcement systems, attacks on civic space and democratic freedoms, and lack of protection for whistleblowers. In such contexts, prosecuting the corrupt is extremely challenging, leading to startling levels of impunity and massive abuses of precious public resources.

Therefore, the ability of the United States to take action against both the bribe givers and bribe takers fills a critical gap and could have a ripple effect on local

enforcement here as well. We hope that other nations will also be encouraged to make similar legal changes that could greatly contribute to the global collective effort to eradicate corruption.”