



Foreign Corrupt Practices Act: Path to Reduce Environmental Damage

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Abstract: Carbon neutralization as a way to curb global warming is a matter that occupies a prominent place in the scenario of international law and Brazilian national law. In this context, the way in which the legal system can lead society to contribute to the implementation of carbon neutralization measures proves to be of paramount importance for the legal sciences, which is why this research is justified. Thus, this research aims to study the Foreign Corrupt Practice Acts - FCPA, the North American anti-corruption law, based on the premise that such legislation has foundations capable of, through a process of dynamogenesis, providing practical results for such effectiveness, with the consequent reduction of environmental damage. The investigation was carried out by means of a comparative study, using axiological rationality as the method of approach and, as a procedural method, critical analysis based on the reference system of economic analysis of Law, approached in a relational manner, indicating the efficiency of Law as an inducer of abstaining from harmful conduct to the environment. In the end, it was concluded that the legal application of the fundamentals extracted from the FCPA, having as reference the economic analysis of the law, is able to provide the reduction of environmental damages, through a process of dynamogenesis, capable of resulting in great commitment of the whole society.

Keywords: Dynamogenesis, Economics Analysis of Law, Foreign Corrupt Practice Acts, Global Warming, Legal Order

1. Introduction

Global warming, which planet Earth has undergone in recent years, has led to climate change, the effects of which have a negative impact on the whole world, so that, if there is no control over the emission of greenhouse gases, the scenario may become even worse.

Current studies show that these climate changes are expected to cause major changes worldwide: sea levels will rise, food production may fall and some species may be extinct [1].

In the last three years, climatologists have changed the definition of what they believe to be the "safe" limit of climate change. For decades, researchers have argued that the rise in global temperature should be kept below 2°C until the end of this century to avoid more serious consequences. However, the scientific community now agrees that, in fact, it is necessary to keep temperature increases below 1.5°C [1].

The most recent study published by Climate Action

Tracker shows that until the year 2100: (a) if nothing is done, the global temperature will rise between 4.1 and 4.8°C; (b) following current policies, it will increase between 2.8 and 3.2°C; and (c) following the current promises of the States, which is less real every day, it will increase between 2.5 and 2.8°C [2], still distant from the necessary 1.5°C indicated as ideals, reason why The present investigation is justified, as it presents legal solutions to solve this huge problem.

Therefore, the problem addressed in this research was the way in which the legal system can lead society to contribute to the implementation of carbon neutralization measures, capable of curbing global warming, as a result of the intense industrialization process, population increase, urbanization and deforestation experienced in recent decades.

To this end, a study of the Foreign Corrupt Practice Acts - FCPA, the North American anti-corruption law, was carried out, which has fundamentals capable of, through a process of dynamogenesis, providing practical results for the reduction of environmental damage.

Foreign Corrupt Practice Manual

Karin Nielsen-Saines



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The Foreign Corrupt Practices Act Handbook Robert W. Tarun,2013 Now including extensive analysis and coverage of the DOJ SEC FCPA Resource Guide this massive resource identifies all of the major FCPA risk areas and then offers thoughtful and practical suggestions for how companies can most effectively address these risks and conduct credible investigations This comprehensive guide is a must buy for all attorneys at every level who represent businesses doing international work

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The Foreign Corrupt Practices Act Handbook Robert W. Tarun,2010 Identifies all of the major FCPA risk areas and then offers very thoughtful and practical suggestions for how companies can most effectively address these risks and conduct credible investigations You ll find information on anti bribery conventions board of directors and management responsibilities transaction issues and considerations gifts travel lodging and entertainment charitable donations and political contributions and conducting and defending an FCPA Investigation

The Foreign Corrupt Practices Act and the New International Norms Stuart H. Deming,2010 This book provides an in depth analysis of the FCPA and significantly expands upon the first with critical updates reflecting the latest developments of the Act a broader and more expansive analysis of the FCPA including those aspects that relate directly to Sarbanes Oxley and a detailed analysis of the debarment practices associated with the anti corruption policies of the World Bank Group

Foreign Corrupt Practices Act ,1981 Prepared for distribution at the Foreign Corrupt Practices Act program February March 1981

Foreign Corrupt Practices Act Compliance Guidebook Martin T. Biegelman,Daniel R. Biegelman,2010-04-26 Foreign Corrupt Practices Act Compliance Guidebook shows readers how the Foreign Corrupt Practices Act FCPA has grown to critical importance to any U S company that does business in a global environment as well as foreign companies that supply or have agency agreements with U S companies It provides an overview of the business risks and guidance on spotting potential red flags regarding FCPA violation Business professionals are provided with practical guidance on managing FCPA requirements as part of an overall compliance program

West's Federal Practice Manual Marlin M. Volz,1977

Foreign Corrupt Practices Act Aaron G. Murphy,2010-11-19 A thoroughly pragmatic guide to the U S Foreign Corrupt Practices Act FCPA This is a critical FCPA training resource for executives managers sales marketing finance and accounting personnel as well as high level professionals The ideal resource for any business that takes FCPA compliance seriously and truly desires to foster a deep understanding of real world corruption issues in their employees A great resource for business school courses on international business or business ethics and anyone interested in understanding these issues for their own professional growth Includes in depth analysis of all major FCPA risk areas including discussions of how FCPA issues arise in real world business situations Covers all aspects of bribery and FCPA

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Raising the Bar Claude Fussler,Aron Cramer,Sebastian van der Vegt,2017-09-08 This book produced by a unique team of business experts and UN agencies is designed to fill a critical void between the support of more than 1 000 organisations for the globally recognised Principles of the United Nations Global Compact and the need for this support to be translated into the day to day running of business to create value and improve performance The ten Global Compact Principles cover human rights labour standards environmental responsibility and anti corruption But what does it mean to implement the Compact and its principles How can the broad brush strokes of the Principles form the basis of management change And how should companies establish benchmarks and performance indicators for implementation For many companies the journey is just starting How can they ensure that they align with the Global Compact in ways that continue to reward their other business objectives How should they embrace and capitalise on the Global Compact's potential for bringing together business the public sector trade unions and civil society in new partnerships The aim of this book is to answer these questions by providing a performance model clearly grounded on the total quality management approach to assist businesses in putting the Global Compact into practice Raising the Bar collects together and categorises a wealth of corporate responsibility tools good practice and case studies in a structure familiar to anyone aware of business excellence models and demonstrates that values create value leadership commitment to the Global Compact can impact both the boardroom and the shop floor public image and balance sheet Full of graphics and designed with accessibility in mind the book will be a goldmine for managers looking for inspiration on how their businesses can be good corporate citizens and real proof that good business is also good for the bottom line

International IDEA Handbook on Democracy Assessment Iain Kearton,Sarah Bracking,Stuart Weir,David Beetham,2021-11-15 The International IDEA Handbook on Democracy Assessment is a robust and sensitive guide to assessing the quality of democracy and human rights in any country around the world The Handbook introduces an easy to use and universal methodology for assessing the condition of democracy in any country or its progress in democratisation that has been developed in a three year action programme at IDEA the inter governmental Institute for Democracy and Electoral Assistance in Sweden The Handbook provides a means to measure systematically the full range of values institutions and issues relating to modern democracy that is sensitive to the underlying principles and democracy and the differences between democracies themselves It is therefore both universal in application and capable of responding to particular aspects of any one nation's democratic arrangements The animating principle of the Handbook is that only citizens of a nation themselves are qualified to assess the quality of their own democratic

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