



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

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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

The Foreign Corrupt Practices Act Handbook Robert W. Tarun,Peter P. Tomczak,2018 The book identifies all major FCPA risk areas and then presents thoughtful and practical advice for how companies can most effectively address these risks and conduct credible investigations

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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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Complying with the Foreign Corrupt Practices Act Donald R. Cruver,1994 *The Foreign Corrupt Practices Act* ,1998 *The Third Annual National Institute on the Foreign Corrupt Practices Act* ,2010 **Foreign Corrupt Practices Act Reporter** ,2003 **Democratic Campaign Handbook** Democratic National Committee (U.S.),1880 **Temple international and comparative law journal** ,2001 **The Foreign Corrupt Practices Act** Jeffrey P. Bialos,Gregory Husisian,1997 *Legal Looseleafs in Print* ,2005 **The Magazine of Bank Administration** ,1981

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