

The team (JunHe) has rich project experience, strong professional ability, high coordination and the ability to understand our business.

——Chambers Asia-Pacific

## FCPA and Anti-bribery

JunHe has a thorough understanding of PRC anti-corruption laws and enforcement practices along with in-depth knowledge of the U.S. Foreign Corrupt Practice Act (FCPA). The firm has provided legal services to leading multinational corporations around the world, including Fortune Global 500 companies. Our lawyers have advised or represented clients in one-third of the world's 50 landmark FCPA cases, and assisted clients in investigations before the U.S. Department of Justice (DOJ), the Securities and Exchange Commission (SEC), and relevant Chinese regulators. JunHe regularly assists clients in identifying and controlling their corruption and FCPA risks, and guides clients through complex legal and regulatory challenges, to mitigate any impact on their business operations and reduce or prevent reputational and commercial damages.

### Legal Services Provided by JunHe

#### FCPA and anti-corruption due diligence

- Conducting due diligence on targets during material transactions, to mitigate any potential liability and legal risks that buyers, their directors and their officers may face;
- Advising on disclosures and solutions for transactions, including preparing due diligence checklists and questionnaires, drafting transaction documents, etc.;
- Conducting due diligence on prospective agents, advisors, suppliers, distributors and joint venture partners;
- Identifying transaction risks in multiple jurisdictions, especially in high-risk countries;
- Performing FCPA and anti-corruption reviews to ensure continuous compliance after the completion of transactions.

#### FCPA and anti-corruption violation investigations

- Conducting internal compliance and special audits;
- Investigating and collecting evidence on suspected misconduct, and providing analysis and legal advice on all aspects of FCPA and anti-corruption compliance;
- Offering countermeasure strategies to minimize administrative or litigation risks.

#### Regulatory countermeasures

- Developing strategies for countermeasures against FCPA investigations and inquiries into the business operations of U.S. companies in China;
- Developing comprehensive and multi-jurisdictional strategies for defending against investigations by local and national governments;
- Assisting or representing clients in communications with governmental authorities to help lessen any fines or penalties that may be imposed;
- Developing and implementing public relation plans to maintain the reputation of clients.

JunHe, founded in Beijing in 1989, is one of the first private partnership law firms in China. Since its establishment, JunHe has grown to be a large and recognized Chinese law firm. The firm has twelve offices around the world and a team comprised of more than a thousand professionals.



Their (JunHe) comprehensive, detailed and practical advice is always tailored to specific needs and concerns.

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#### Compliance strategies and solutions

- Preparing compliance schemes to strengthen compliance management and mitigate compliance risks;
- Conducting compliance reviews and audits on clients' business and transactions, and delivering practical solutions;
- Providing compliance training for clients, and developing sound contract drafting, internal management systems and SOPs to improve compliance awareness in the ordinary course of business.

#### Selected Deals

##### **Represented a globally well-known enterprise in the printing industry in a comprehensive cross-border compliance investigation related to FCPA**

We represented a globally well-known enterprise in the printing industry in a cross-border investigation related to FCPA. We not only led all work related to PRC legal issues, but also represented the client in responding to the requirements and challenges posed by foreign government regulators and parties involved in the case. During the internal investigation process, we led and coordinated with U.S. law firms to assist the client in dealing with various crises and issues, including improper disclosure by disgruntled former employees, media exposure, raid inspections by local government, national security, cross-border information transmission and international mutual legal assistance issues.

##### **Represented a Chinese central SOE in an FCPA investigation and judicial proceedings before a foreign government**

We guided a Chinese central SOE through all aspects of an FCPA investigation and judicial proceeding before a foreign government, and addressed the legal issues that had arisen under the jurisdictions of China and the U.S. We engaged in a number of communications with both the Chinese and the U.S. governments, and led and coordinated multiple U.S. law firms. After many years of effort, we assisted the client to fulfil procedural requirements under U.S. law and adhere to the political bottom line for a Chinese company.

##### **Represented the European HQ of a corporate giant in a criminal investigation before the DOJ**

We represented the European HQ of a corporate giant in a cross-jurisdictional criminal investigation by the DOJ. This was one of the biggest ever FCPA cases announced by the DOJ, and we protected the client against the long-arm jurisdiction of the United States and overcame an "American trap" by using applicable laws under Chinese jurisdiction.

##### **Conducted FCPA due diligence on behalf of a well-known US medical device company in connection with its acquisition of a prominent Chinese medical device company. We offered compliance advice and developed a compliance program based on the due diligence findings**

We assisted a well-known US medical device company with FCPA due diligence in its acquisition of a prominent Chinese medical device company. The due diligence conducted on the entire distribution network of the target company in China was designed to assess potential compliance risks under FCPA and PRC laws. We issued the due diligence report and developed a compliance program for the client after the acquisition.

##### **Provided a full range of legal services to a Fortune 500 company, including conducting FCPA due diligence, developing a compliance system and providing compliance training**

We provided a full range of international compliance services to a Fortune 500 company, including performing full FCPA due diligence on the agents and distributors of the client. We assisted the client's subsidiaries in China with investigations by the Chinese government, advised the client on compliance with PRC anti-bribery laws, advised the clients on the requirements for business record retention and trading rules, and provided FCPA training to the employees and partners.

Regulatory Compliance Law Firm of the Year  
2022, 2017

ALB China Law Awards

Law Firms of the Year - Corporate Compliance

2022, 2021

China Business Law Awards

PRC Firm of the Year - Dispute Resolution

2018, 2017

China Law & Practice Awards

JunHe's government enforcement and investigation team is an excellent legal service team in China in the areas of Foreign Corrupt Practices Act (FCPA) and anti-bribery, cross-border compliance investigation and white-collar crime. The legal issues relating to government enforcement and investigation are often complex, may involve contact with numerous government departments and face strong regulatory enforcement. In this field, our clients can face great hazards with potentially long-lasting impact. Our team has years of successful experience and legal practice. We properly address the regulatory issues often encountered by our clients and assist in preventing and reducing any legal, commercial or public opinion risks. In this way, we help our clients to conduct business in compliance with the law and maintain their strong business reputation.