

CORPORATE COMPLIANCE ALERT

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International Law Enforcement Efforts Demonstrate Success in Australian Foreign Bribery Arrests

A coalition of international law enforcement investigators continues to employ anti-bribery statutes to combat fraud by individuals with ties to terrorist groups.

After a series of raids in Sydney, Australia, last week, the Australian Federal Police (AFP) charged directors of Lifese with foreign bribery offences. According to the *Sydney Morning Herald*, the AFP alleges the three defendants attempted to bribe Iraqi officials in order to secure multi-million dollar construction contracts. One of the defendants charged in the case is Mamdouh Elomar, the father of Australia's most wanted terrorist, Mohamad Elomar. Mohamad Elomar, who is said to be fighting with ISIS in Iraq, is notorious for posing with the severed heads of men killed by the group.

Although no allegations of terrorist financing have been made as part of the case against the three men, and there has been no public indication that Mamdouh Elomar had any involvement in his son's terrorist activities, it seems more than coincidental that this is only the second time in 15 years that Australia's anti-bribery statute has been charged. Targeting the criminal activity of a family member of a terrorist is a tactic routinely used in order to gain intelligence regarding terrorists and terrorist groups.

In 2008 and 2009, I commanded all FBI personnel and investigations in Iraq, including the International Contract Corruption Task Force (ICCTF). The ICCTF was formed in 2006 to combat the proliferation of bribes and kickbacks used by corrupt contractors to secure government contracts in Iraq, Kuwait and Afghanistan. One of the greatest challenges we faced at that time was changing the attitudes of corporate executives and government officials regarding the social and economic harms caused by systems that tolerate bribery.

In 2013, the ICCTF concept was expanded to form the International Foreign Bribery Task Force, which includes investigators from the FBI, AFP, Royal Canadian Mounted Police and London Police's Overseas Anti-Corruption Unit, who work closely to strengthen investigations into foreign bribery crimes and support the Organization for Economic Co-operation and Development and U.N. anti-bribery conventions.

The persistence of investigators, diplomats and watch groups is paying off as evidenced by increased international bribery prosecutions. According to Supervisory Special Agent Doug Cook, the ICCTF now has agents deployed in Africa, Europe, Asia, Central America and the Middle East.

As Neville Tiffen, director with Transparency International Australia told ABC, "Having another prosecution in Australia for foreign bribery really should be a wake-up call to all directors and executives, both listed and non-listed companies."

For further information, please contact any of the listed Roetzel & Andress attorneys.

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