

Global Corporate Compliance

MAPO_004670

Departments	Department of Law
Teaching Languages	English
ECTS	3
Teacher responsible	David Jesus Velazquez Vioque - david.velazquez@esade.edu

Course Goals

- Describe the modern multinational corporation's approach to managing corporate governance and compliance matters and how legal risk management of private and public enforcement is fundamental
- Learn how to implement and monitor an international compliance program in multiple jurisdictions
- Learn how to act as Compliance officer or advisor/lawyer in the daily functioning of a corporate compliance system

Previous knowledge

No previous knowledge required

Prerequisites

No specific prerequisites or mandatory elements

Teaching methodology

Lectures and in-class discussions. Focus on case studies and debate on international standards and best practices.

Description

Course contribution to program

- Provide overview of legal and compliance differences between the US, the UK and the EU/Spain
- Prepare students to be strong governance/ compliance issue spotters to manage legal and reputational risks for their corporate clients
- Corporate law and governance philosophies & principles generally (US vs UK vs Spain/Europe) shareholders and stakeholders
- Introduction to the Entity Deputization approach to questions of corporate governance, monitoring and compliance matters
- Consideration of corporate anti-bribery/corruption requirements as key

illustrative example of modern compliance and governance efforts: laws, regulations and recognized best compliance practices (consideration of the US vs the UK approach and how it affects Europe).

Short description

The subject aims to provide a global vision of the international soft law/hard law in the compliance fields and transmit students the main skills and knowledge to act as Ethics and Compliance officers and compliance advisors.

Bibliography

, The domains of Corporate Counsel in an era of Compliance, American Business Law Journal, Vol 53, 2, 203-249, Summer 2016 (Article)

, US Department of Justice: Evaluation of Corporate Compliance Programs (2024) (Document)

Alison Taylor, Higher Ground: How business can do the right thing in a turbulent world, Harvard Business Review Press 2024 (Book)

, A resource guide to the US Foreign Corrupt Practices Act (Document)

Activities

In-class discussions and debates

Interaction activities with debates on the main topics of the subject

Case study analyses

Analyses of the most relevant cases in the international compliance field (SEC, Department of Justice, Serious Fraud Office)

Content

#	Topic
1	Introduction to an Anticorruption Compliance program
2	Anticorruption: FCPA and UKBA cases
3	Whistleblowing systems and guarantees
4	Internal investigations and labor law issues
5	The role of the Compliance officer and how to divulge the culture of compliance within organizations
6	Risk assessment and internal policies
7	Compliance as a Corporate defense: case studies
8	Bidding procedures. Administrative and competition law in Compliance.
9	M&A and Compliance. Successor liability.
10	Due diligence of third parties and ESG: case studies

Assessment

Tool	Assessment tool	Category	Weight %
Written and/or oral exams	It will be based on a final written exam on a case study, participation and debates in class and a case study to be solved in class	Retake and ordinary round	

PROGRAMS

113-Law Exchange Program (Undergraduates: Law)
113 Year 1 (Optative)

DD05-Double Degree Program (exchange) (Undergraduates: Law)
DD05 Year 1 (Optative)

LCL23-Master of Lifelong Learning in Corporate Law (Masters: MUA)
LCL23 Year 1 (Mandatory)

LCP23-Master of Lifelong Learning in Corporate Compliance and Criminal Law (Masters: MUA)
LCP23 Year 1 (Mandatory)

LIB23-Master of Lifelong Learning in International Business Law (Masters: MUA)
LIB23 Year 1 (Optative)

MUA23-Master in Professional Legal Practice and Procuring (Masters: MUA)
MUA23 Year 1 (Optative)