

Covington's Africa Anti-Corruption Practice

Overview

With one of the most experienced and recognized anti-corruption practices in the world, unmatched credibility before enforcement authorities, and seasoned anti-corruption practitioners operating on the ground from our Johannesburg office, Covington offers unique value to clients doing business in Africa.

Our anti-corruption practice in Africa is led by [Ben Haley](#), who also serves as Vice-Chair of the firm's broader Africa Practice. Mr. Haley has in-depth experience representing clients before U.S. enforcement agencies in high-profile matters and a history working on the ground across the continent on investigations, risk assessments, investment transactions, and compliance program assessments. He is regular outside compliance counsel to U.S., European, and African companies across a range of industries, including energy, mining, financial services, chemicals, agriculture, technology, sports, entertainment, and consumer products. Mr. Haley is joined in Johannesburg by [Ahmed Mokdad](#), a South African-qualified lawyer specializing in investigations, who has worked extensively on high-profile engagements in South Africa such as the "State Capture" matters.

Our anti-corruption specialists in London work seamlessly with our Johannesburg office, offering additional depth of experience with the complement of UK law expertise. This team includes [David Lorello](#), who brings considerable oil and gas and defense sector experience to the team, and [Sarah Crowder](#), a fluent French speaker with a broad range of experience working on investigations, risk assessments, and investment transactions in Africa, including in the extractives, consumer products, pharmaceutical, and telecom sectors. Also based in London is [Mark Finucane](#), who brings deep experience handling complex cross-border enforcement matters before U.S. authorities, including most recently, U.S. FCPA and AML matters in Ghana, Nigeria, and Mozambique. [Ian Hargreaves](#) brings further expertise on UK anti-corruption and AML matters, including extensive experience representing clients before the UK Serious Fraud Office and handling asset tracing and recovery investigations and litigation.

Our Africa anti-corruption team can also call upon a number of anti-corruption experts in our U.S. offices. With a number of former prosecutors and lawyers who have recently held senior positions in the U.S. Department of Justice (DOJ), including former Attorney General [Eric Holder](#), and two former heads of DOJ's Criminal Division, [Lanny Breuer](#) and [Mythili Raman](#), we are uniquely positioned to offer highly sophisticated advice regarding the enforcement environment in the U.S. and abroad, and the expectations of enforcement authorities regarding internal investigations and corporate compliance programs.

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Complementary Public Policy Expertise

Further differentiating our Africa anti-corruption practice is our ability to call upon a deep reservoir of experience handling public policy and government affairs matters on the continent. In an environment where state actors often play a significant role in major commercial transactions, our experience has taught us that our clients benefit from receiving integrated policy and government affairs and commercial diplomacy advice together with compliance advice. In that regard, our Africa anti-corruption practice is distinguished in the market by our expertise and knowledge of the business and political climate throughout the continent. Our Africa policy and government affairs team is led by [Dr. Witney Schneidman](#), former U.S. Deputy Assistant Secretary of State for African Affairs, with more than 40 years of experience on the ground on the continent. Dr. Schneidman works closely with a team in Johannesburg, including policy advisor [Robert Kayihura](#), and in New York, senior advisor [Jay Ireland](#), who previously served as President and CEO of GE Africa, where he was responsible for growing the company's footprint across Sub-Saharan Africa. The team provides strategic advice on the varied political, economic, social, and regulatory issues that are critical to companies' success in Africa and engages directly with senior levels of government to assist in resolving disputes, secure agreement around market entry, and obtain protection for investments.

Recent Anti-Corruption Experience in Africa

Internal Investigations, Government Enforcement Matters, and Congressional Investigations

- Secured declination from DOJ and favorable SEC resolution for Hyperdynamics Corporation in FCPA investigations regarding activities in Guinea.
- Secured a declination from DOJ for a leading media entity in an investigation into potential FCPA violations in Egypt.
- Representing various senior executives in relation to a widely-reported multi-lateral investigation and enforcement proceedings concerning alleged corruption arising out of a major financial institution's underwriting of bonds in Mozambique.
- Representing a major U.S. financial institution in connection with an investigation by the DOJ and SEC into potential corruption relating to power projects in Ghana.
- Represented a leading African energy conglomerate in connection with an investigation by U.S., UK, and Nigerian authorities relating to alleged corruption arising out of the company's exploitation of Nigerian petroleum resources.
- Defended individuals against Congressional investigations into alleged corruption regarding activities in Equatorial Guinea and Nigeria.
- Conducted and reported to SEC on investigations in Nigeria, Uganda, and Ghana for client under post-resolution reporting obligation, resulting in no enforcement action.
- Led the defense of a motion picture studio in connection with a DOJ investigation of alleged bribes paid to local officials in Morocco, resulting in DOJ declination.
- Assisted Fortune 500 companies in conducting internal investigations concerning potential bribery and accounting issues in Ghana.

- Assisted clients in the energy sector in investigating bribery in the customs and security sectors in various West African countries and supporting the clients in related U.S. enforcement matters.
- Defended a leading pharmaceutical company in a civil action regarding various allegations of kickbacks and terrorism financing in connection with the UN's Oil-for-Food program.

Investment and Commercial Transactions

- Led diligence and post-acquisition integration for a major consumer goods company in connection with transaction involving acquisition of businesses throughout Africa, involving work on the ground in South Africa, Nigeria, Tanzania, and Uganda.
- Conducted anti-corruption due diligence and acquisition risk assessments for clients in the oil and gas and other industries, in connection with potential acquisitions and joint venture partnerships across Africa, including in Angola, Ivory Coast, Kenya, Libya, Nigeria, South Africa, and Togo.
- Provided extensive advice to a U.S. listed international energy company on anti-corruption and AML compliance, local content, dispute resolution, and other commercial law issues in connection with contemplated investments in Ghana, Senegal, and Mauritania, including assistance with petroleum, bidding, and operating agreements.
- Assisted an international oil and gas company in anti-bribery and anti-money laundering issues arising from investments in Ghana, including the due diligence process concerning assets that the client had farmed into, assistance in the conduct of due diligence on local partners identified to satisfy Ghana local content legislation, and the structuring of joint venture and other commercial arrangements with those local partners.
- Assisted an international oil and gas company in negotiating the terms of social contribution provisions of joint venture arrangements concerning exploration and production blocks in Angola.
- Assisted U.S. listed manufacturer with compliance diligence and advice related to large-scale public-private-partnership in Nigeria.
- Advised on the compliance and other provisions in a production sharing contract between a foreign oil and gas investor and a government in the Horn of Africa.
- Provided FCPA advice to a leading automotive manufacturer in connection with a potential fleet sale to an African country.
- Supported a leading international oil and gas services company in conducting anti-corruption compliance due diligence concerning potential acquisitions in Angola and Nigeria.
- Assisted an international financial institution concerning anti-corruption compliance considerations in potential investments in Sub-Saharan Africa and supported the client in related government inquiries.
- Provided FCPA advice to a leading communications company in connection with a proposed acquisition of a state-owned telecommunications company in Africa.

Compliance Counseling Matters

- For a major energy company, conducted an assessment of the implementation of its anti-corruption compliance program.

- Supporting numerous clients in developing tailored compliance policies, procedures, and trainings focusing on unique compliance risks in Africa, including those arising from personal security issues, interactions with police, local permitting requirements, compliance with local content rules, customs/logistics, local tendering procedures, and other national regulatory and business processes.
- Advised an international biopharmaceutical company on compliance issues related to activities in Kenya, Tanzania, and Uganda.
- Advising clients throughout Africa on gifts and entertainment matters relating to interactions with government employees and officials.
- Advising clients on structuring and implementation of compliance programs in joint ventures in South Africa.
- Assisted an international financial institution in developing due diligence and compliance procedures surrounding investments in Africa.
- Developed regional anti-corruption manuals, which included sections tailored to the local law of various African jurisdictions, for a global manufacturer and equipment supplier.
- Developed anti-bribery policies and procedures for an oil and gas company in connection with its activities in Angola and Nigeria.

Meet Covington's Africa Anti-Corruption Team



Ben Haley
Johannesburg



Lanny Breuer
Washington



Sarah Crowder
London



Mark Finucane
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Ian Hargreaves
London



Eric Holder
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David Lorello
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