

# Study on Jurisdictional Disputes and Coordination Mechanisms in Foreign Criminal Cases: Taking Commercial Bribery as an Example

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**Abstract.** China has achieved fruitful results in anti-corruption efforts domestically, but it is also important to note that the issue of corruption and bribery related to foreign affairs is gradually emerging. With the increasing degree of opening up to the outside world, many enterprises are going abroad, and many overseas enterprises are also seeking development domestically, resulting in an increase in criminal acts of corruption and bribery. When enforcing the law on foreign-related corruption issues, conflicts of criminal jurisdiction over foreign-related crimes are an unavoidable issue. Currently, China has many shortcomings in governing foreign-related corruption cases, such as incomplete criminal legislation, insufficient law enforcement capabilities, and insufficient international cooperation. At the same time, the United States has gradually begun to use the FCPA to exercise long-term jurisdiction over Chinese overseas enterprises, which has to be taken seriously. In response to this situation, it is necessary to improve China's foreign-related criminal jurisdiction in areas such as legislation, law enforcement, and cooperation, strengthen international and regional cooperation, and write a new chapter in the history of human anti-corruption struggle.

**Keywords:** Anti-Corruption, Extraterritorial Jurisdiction, Foreign Criminal Jurisdiction..

## 1. Introduction

Commercial corruption is a criminal activity that is arduous to curb across the globe. As international interactions grow closer, instances of multinational commercial corruption involving criminal entities such as multinational corporations, foreign dignitaries, and local administrations occur with greater frequency, rendering its suppression more challenging. According to the evaluation conducted by the World Bank, the sum of commercial bribes worldwide amounts to approximately 1 trillion US dollars annually, and nearly 40% of the 3,600 multinational enterprises in 69 nations engage in commercial bribery [1]. These crimes, which severely disrupt the order of the international market, are the focal point of severe condemnation by numerous countries and international organizations. Consequently, numerous nations and international organizations have taken active steps to legislate and implement effective measures against transnational commercial corruption.

In 1977, the United States took the initiative in enacting the "Foreign Corrupt Practices Act" (FCPA), thereby becoming the pioneer in the world to legislate against overseas corruption. On October 31, 2003, the 58th plenary session of the United Nations General Assembly approved the United Nations Convention against Corruption. However, in the course of this process, conflicts of jurisdiction became increasingly conspicuous. As China's economy became more open, there was a lack of experience in handling cases of corruption that may arise during foreign commercial trade. The extraterritorial jurisdiction of cross-border commercial bribery primarily pertains to China. The regulations on jurisdiction in the Criminal Law include territorial jurisdiction, personal jurisdiction, and protective jurisdiction. Although these principles are relatively comprehensive, they lack specificity and have always adhered to the stipulations of Criminal Law which be promulgated in 1979, it do not fully align with the new circumstances of regulating multinational commercial corruption in the era of globalization. Therefore, there's a need for a comprehensive foreign-related criminal jurisdiction system based on domestic legislation and adherence to international law, adapting to the new circumstances of extraterritorial anti-corruption by drawing on the experiences of foreign-related criminal jurisdiction.

This paper concentrates on the dilemma of jurisdiction in foreign-related criminal cases where multinational commercial bribery is considered a criminal offense. It possesses two primary values and significance. Theoretically, foreign-related criminal jurisdiction is one of the significant challenges in contemporary social legislation. The manner in which the country's own judicial sovereignty and interests can be safeguarded while simultaneously respecting the international community must be thoroughly considered. Consequently, organizing the theoretical framework and fundamental principles of foreign-related criminal jurisdiction, analyzing the coordination mechanism of jurisdiction to summarize the shortcomings in legislation associated with jurisdiction, and offering theoretical insights for the future enhancement of China's anti-foreign corruption legislation are imperative. Practically, as China's economy becomes more receptive and there is a proliferation of foreign-related enterprises, judicial authorities have limited implementation practices in foreign-related criminal jurisdiction. The exploration of conflicts in foreign-related criminal jurisdiction can assist in enhancing China's capacity to regulate transnational commercial bribery offenses.

The paper is partitioned into four chapters. Part I lays out the theoretical framework and legal foundation, covering the basic principles of global criminal jurisdiction, the regulatory framework for transnational financial corruption, types of jurisdictional conflicts in foreign-related criminal cases, and introducing jurisdictional dispute harmonization mechanisms. Part II discusses China's jurisdiction in foreign-related criminal cases and the administration of multinational financial corruption offenses, focusing on the criminal jurisdictional system, multinational financial corruption legislation, and corporate criminal compliance. Part III examines the causes of jurisdictional conflicts and the implicated legal principles and applications through emblematic law enforcement case analyses, resolution mechanisms, and practical evaluative issues. Part IV analyzes the factors contributing to the current regulatory deficiencies in international cooperation against multinational corporate bribery, as well as offering recommendations for enhancing and optimizing China's jurisdiction in foreign-related criminal cases.

## **2. Theoretical Framework and Legal Foundation**

### **2.1. Jurisdiction Principles for Commercial Bribery in a Global Perspective**

In accordance with the UNCAC, three essential principles govern the jurisdiction over commercial bribery: territorial, nationality, and protective jurisdiction. Article 42 mandates that all State Parties implement the necessary measures to assert their jurisdiction over crimes as defined by the Convention [2].

Territorial jurisdiction grants a country complete control over all individuals, activities, and properties within its territory, as outlined by UNCAC, which asserts a State Party's jurisdiction over offenses occurring within its bounds or on its registered vessels or aircraft. This widely recognized principle ensures a nation's legal authority extends to its geographical limits. Nationality jurisdiction, another key principle defined by UNCAC, allows a country to regulate its nationals' actions worldwide, applying even when offenses involve the State Party's citizens or registered modes of transportation, thereby enabling a nation to enforce its laws on its citizens and entities, regardless of their location [3]. Protective jurisdiction, aimed at safeguarding national interests, mandates that any act harming the state or its citizens falls under the nation's laws, regardless of the offender's origin or where the offense occurred, as stated by UNCAC, "The offence is committed against the State Party." These principles collectively form the foundation of international legal jurisdiction, allowing for the application of a country's laws to a broad range of scenarios, including those with cross-border implications.

In other international conventions, most of them follow these three basic jurisdictional principles. However, it is worth noting that both the OECD Bribery Convention and the Council of Europe Criminal Law Convention against Corruption stipulate that if part or all of the criminal act is

committed within the contracting state, it has jurisdiction over the criminal act, which provides an international legal basis for some foreign-related jurisdictional acts.

## **2.2. Types of Jurisdictional Disputes in Foreign Criminal Cases**

Jurisdictional challenges in cases of international crime, particularly concerning commercial bribery, frequently result in conflicts stemming from diverse interpretations and implementations of global treaties across nations. For example, the OECD Bribery Convention requires that "Each Party must implement whatever measures are required to assert jurisdiction over the act of bribing a foreign public official if the offense occurs entirely or partially within its territorial bounds" [4]. This provision has prompted some countries to adopt broader interpretations of their foreign jurisdictional reach.

A notable example is the United States' FCPA, which asserts jurisdiction over individuals or entities that engage in, conspire with, or assist in facilitating transnational commercial bribery within its territory, even if that person has not had any physical contact with the United States. The FCPA enforcement agency expands its interpretation of foreign jurisdiction based on the "minimum contact principle", expanding its scope of application from the purely territorial space domain to the cyberspace domain. Even bribery through the use of American mail is subject to its jurisdiction and can result in corruption lawsuits.

This expansive interpretation of jurisdiction was evident in the 2008 bribery case of Alcatel in France, where French citizen Christian Sapsizian, involved in bribery activities in Costa Rica, received a sentence of 30 months in prison by U.S. authorities. The main jurisdictional basis in the United States is that Alcatel has depository receipts in the United States and the bank account for remitting bribes is located in New York [5].

## **2.3. Coordination Mechanisms for Jurisdictional Disputes**

The conflict of jurisdiction is essentially a conflict of national interests in the judicial sovereignty of each country, and the key to resolving the conflict is to balance the interests of all parties. The exercise of jurisdiction by a state, recognized as a right rather than an obligation under international law, must not contravene its mandatory provisions. This variance in interpreting jurisdiction necessitates effective coordination mechanisms for resolving disputes, especially pertinent in commercial bribery cases, where multinational corporations often navigate the legal landscapes of both their home and host countries.

Among the existing coordination mechanisms—prioritizing territorial jurisdiction, adhering to the principle of reasonableness, the principle of comity, international legal regulations, and specific case coordination measures—the principles of territorial priority and case coordination stand out for their relevance to commercial bribery. The principle of territorial priority has three key points in criminal jurisdiction. Firstly, a country has criminal jurisdiction over all or part of criminal acts committed within its own territory, regardless of whether the perpetrator is a citizen of its own country. Secondly, when a criminal is found overseas, the country where the crime is committed has the priority right to request judicial assistance, including requesting the extradition of the criminal from the place where the criminal is located and freezing, sealing, seizure, and confiscation of their property. Thirdly, when a criminal offender is discovered overseas, if multiple countries in the place of crime make extradition requests, the main country in the place of crime has the priority right to request extradition [6]. It can be seen that the principle of territorial priority can provide reasonable and effective solutions when dealing with jurisdictional conflicts. When promoting territorial priority, both personal jurisdiction and protective jurisdiction should be considered. In commercial bribery cases, multinational corporations usually have a host country and a home country, and when a criminal act occurs, the interests of the host country must take priority over the home country.

Case coordination, due to the high complexity of extraterritorial criminal jurisdiction involving two or even more countries with independent judicial sovereignty, is a good coordination mechanism for

analyzing specific issues in different cases based on cooperation. In early 2020, Airbus, recognized for its global operations, confessed to bribery and export control breaches, securing international contracts through bribes. The company settled the matter by agreeing to pay close to \$4.9 billion and undertake corrective measures, reaching agreements with regulatory authorities in France, the UK, and the US [7]. Such cases underscore the growing trend of leveraging international cooperation and case coordination to navigate and resolve jurisdictional conflicts in commercial bribery, enhancing the efficacy of global legal frameworks against corruption.

### **3. Criminal Jurisdiction over Foreign-related in China and the Regulation of Multinational Commercial Bribery Crimes**

In June 2018, the White House Office of Trade and Manufacturing Policy issued a report on “How China's Economic Aggression Threatens the Technologies and Intellectual Property of the United States and the World,” documenting “the two major strategies and various acts, policies and practices Chinese industrial policy uses in seeking to acquire the intellectual property and technologies of the world and to capture the emerging high-technology industries that will drive future economic growth [8]”. Subsequently, in November of that year, the US Department of Justice released the China Initiative FACT SHEET, which stated the need to distinguish Chinese companies that had trade competition with US companies and increase enforcement efforts against bribery crimes committed by corporate and individual executives. It can be seen that this reflects that the governance of cross-border commercial bribery in China is not comprehensive and effective enough, and the jurisdiction over foreign affairs is not clear enough.

#### **3.1. The System and Shortcomings of China's Foreign Criminal Jurisdiction**

China's jurisdiction over foreign crimes adheres to the 1979 Criminal Law. This law dictates that crimes occurring within China's borders, territorial waters, or airspace are considered committed within China's jurisdiction. Article 6 of the Criminal Law does not provide for "partial" criminal acts or results of bribery in China. In the provision of personal jurisdiction, although there are jurisdiction provisions for natural person entities involved in foreign-related bribery, there is no jurisdiction provision for unit entities, resulting in Chinese enterprises being unable to be subject to the jurisdiction of China's judicial system for commercial bribery crimes overseas. It can be seen that China's criminal jurisdiction is not as broad as that of FCPA in the United States. With the rise of China's international status and the increasing degree of openness to the outside world, the possibility of using China's financial system for corrupt and bribery behavior is increasing. The jurisdictional scope outlined in Articles 6 and 7 of the Criminal Law appears increasingly misaligned with the interconnected nature of the international community.

#### **3.2. Insufficient Legislation and Enforcement of Transnational Corruption and Bribery in China**

In 1993, China introduced its first Anti-Unfair Competition Law, defining legal responsibilities for commercial bribery. By 2011, to comply with UNCAC, China amended its Criminal Law to criminalize bribery involving foreign officials or international organizations. The law was updated again in 2018 to refine commercial bribery definitions and add defense and compensation mechanisms. In 2019, President Xi pushed for a "clean" Belt and Road initiative, emphasizing integrity and sustainability. This led to calls for enhancing China's legal framework for combating transnational commercial bribery, including developing laws with extraterritorial reach, following the Fourth Plenary Session of the 19th Central Committee of the Communist Party of China. As one of the important areas, anti-corruption should also be given attention to its specific legislation for extraterritorial application.

However, although China is gradually improving its legal provisions on foreign-related corruption, it still adopts measures of "laissez faire" and "defense" in implementation. Unlike the United States' aggressive crackdown on corruption by Chinese companies in the United States this year, China

seems to have not taken many actions against bribery by overseas companies in China. To date, China's judicial practice in prosecuting bribery of foreign officials and international organization appears limited, as evidenced by a lack of relevant cases on the China Judgment Document Network. This suggests a relatively low application rate of such charges in judicial proceedings.

#### **4. Typical Cases and Existing Problems**

##### **4.1. Cases under the Expansion of Jurisdiction by "Powerful" Countries**

Over the previous ten years, legal and regulatory entities in the United States have imposed extraterritorial measures on numerous prominent foreign corporations. The payment of substantial fines, sometimes surpassing \$1 billion, has frequently been the sole method of ultimately resolving allegations of significant misbehavior—usually related to corruption or violation of sanctions—beyond the borders of the United States [9]. The use of extraterritorial jurisdiction by powerful countries to interpret expansion has become an inevitable topic of international corruption today. In 2019, a commentary article about the Alstom case was published in *The Economist*, showcasing the story behind what the DOJ called the largest overseas bribery case in history [10]. Alstom primarily operates in the engineering and energy sectors with 110000 employees in 70 countries. And the headquartered is in France, which means Alstom is a definitely a French company. It operates globally through a group of subsidiaries and has won project contracts from around the world through subsidiary bidding. Some of these projects are funded by the World Bank and other international financial institutions. On April 14, 2013, Frédéric Pierucci, former senior executive at Alstom, was arrested by FBI agents when he got off the plane at Kennedy International Airport in New York.

The reason why this former Alstom executive was sued by the United States is that in 2003, in the Tarahan power plant project on Sumatra Island, Indonesia, Pierucci and other Alstom managers bribed government officials through intermediaries. It can be seen that in this case, Pierucci himself is not an American, Alstom is not a US company, and the bribery target is not a US official. This is not in accordance with territorial jurisdiction or personal jurisdiction, and The company was arrested for directly engaging in illegal activities related to falsifying records and lacking sufficient internal controls as per the FCPA.

##### **4.2. Analysis of Jurisdictional Disputes**

Jurisdictional disputes in this instance primarily stem from the application of "long arm jurisdiction." Initially, this concept, rooted in U.S. Civil Procedure Law, addressed jurisdictional matters among U.S. states. However, with the federal constitution acknowledging each state's sovereign rights, "long arm jurisdiction" has expanded to international contexts, affecting multinational companies and individuals [11]. In judicial practice, the United States often uses various foreign-related laws to exercise long-term jurisdiction over different countries and enterprises. Since the 2001 USA PATRIOT Act's definition of "correspondent accounts," jurisdiction has broadened to encompass nearly all non-U.S. banks that conduct financial dealings with American banks. As long as these companies handle sanctions related to US dollar transactions through the US financial system, they can be included in the US exercise of "long arm jurisdiction". Through the case of Alstom, we can see that such long arm jurisdiction has caused great pain for many multinational corporations and home country governments. On the one hand, it cannot resist the hegemonic jurisdiction of strong countries, and on the other hand, it cannot bypass the US dollar market for economic development, and that puts them in a dilemma.

##### **4.3. Resolution Mechanisms and Effectiveness Assessment: EU Response to "Long Arm Jurisdiction"**

At the turn of the century, the European Union needs to engage in trade activities with countries such as Cuba and Iran that have been heavily sanctioned by the United States in developing its energy economy. The United States, on the other hand, imposes sanctions on third countries through the

Helms Burton Act and the Iran and Libya Sanctions Act. The European Union chooses to resort to WTO dispute resolution procedures, negotiating at the negotiating table to ease and balance conflicts. However, the WTO dispute settlement mechanism has limited constraints on the United States, and it cannot guarantee enforcement efficiency. The entire process is inevitably abandoned. Simultaneously, the WTO dispute settlement mechanism only stops at urging implementation, without a deadline for implementation, and cannot ensure implementation efficiency [12]. Therefore, the entire implementation process is long and complex, making it difficult to ultimately achieve the goal of dispute resolution.

In response to the 2018 re-imposition of U.S. sanctions on Iran by the Trump administration, the European Union responded by implementing Regulation 2018/1100. This act revised the Annex to Council Regulation (EC) No 2271/96, designed to safeguard against the extraterritorial impact of laws passed by third countries. Known among scholars and policymakers as "Blocking Statutes," these regulations serve as legal shields against specific actions or the foreign extraterritorial effects of third-country laws [13]. They cover all natural persons and legal entities within the EU, establishing a comprehensive framework that includes a reporting system, exemption procedures, and relief mechanisms.

#### **4.4. Problems in Practice**

One thing that needs to be mentioned is that in judicial practice, there are often differences between legal definitions and punishment standards, which can lead to some conflicts. For example, there are still issues with the definition of commercial bribery crimes in countries such as China, Greece, Portugal. In some countries, including Argentina, Austria and Türkiye, the regulatory stipulations concerning corporate accountability and associated penalties are deemed inadequate. For example, in Argentina, corporate responsibility for inaccurate financial reporting is non-existent. In Austria, companies convicted of bribery abroad are subject to a financial penalty up to 1.3 million euros, a figure not reflective of the size and scope of many Austrian firms. Germany's cap on fines at 10 million euros falls short of an effective deterrent or governance tool. Belgium and Estonia face challenges with insufficient statutes of limitations for initiating legal actions. Although Italy has extended its statute of limitations, its application across all three judicial phases (initial trial, appeal, and final judgment) often prevents reaching a verdict within the set timeframe. Hungary's two-year limit for investigating foreign bribery cases may be inadequate for addressing large and complex incidents. Additionally, several OECD convention member countries do not offer adequate protection for whistleblowers. A 2017 investigation by the Dutch Whistleblower Authority revealed that half of the Dutch firms surveyed failed to comply with legal standards for internal reporting policies.

### **5. Improvement Suggestions and Optimization Paths for Improving China's Foreign-Related Criminal Jurisdiction**

As the previous text repeatedly repeats, with the increasing level of China's opening-up to the outside world, Chinese enterprises are constantly moving towards the world. When conducting commercial trade, there will be more and more cases of corruption involving Chinese enterprises or individuals. China should gradually improve its jurisdiction over foreign-related criminal cases to fully resolve such disputes and conflicts.

#### **5.1. How to Deal with Overseas "Long Arm Jurisdiction"**

According to the global economy, the trade relationship between China and the U.S. is becoming increasingly close, and friction is also increasing. The United States is also paying more attention to the accountability of Chinese enterprises and Chinese high-ranking officials. In this process, such as the 2018 Meng Wanzhou incident, which involved US sanctions against Iran and was detained by the Canadian government, fully reflects that the long arm jurisdiction is gradually extending to Chinese enterprises and Chinese high-ranking officials. Fully absorbing the experience and lessons of the European Union is of utmost importance in dealing with long arm jurisdiction. Firstly, a sound

blocking legislative system has been established. Starting from 2020, China has successively introduced blocking legislation and anti-sanction legislation such as the "Provisions on the Unreliable Entity List", "Rules on Counteracting Unjustified Extraterritorial Application of Foreign Legislation and Other Measures", and "Anti Foreign Sanctions Law", providing strong legal protection for judicial and administrative law enforcement to implement anti sanction measures. However, at the same time, China's blocking legislative system has just begun, with vague provisions and insufficient practical experience. Therefore, gradually researching and exploring new channels, clarifying and refining legal provisions, is the main measure for China to improve legislation to solve the foreign-related criminal jurisdiction brought about by long arm jurisdiction.

## **5.2. The Enlightenment of the US FCPA on China**

It is not advisable for the United States to exercise hegemony through foreign related laws such as the FCPA, but China can also draw on its advantages and expand its criminal jurisdiction over foreign affairs within the scope permitted by international law to enforce and punish acts of foreign corruption. In fact, in the field of financial legislation, China has a precedent. In the new Securities Law promulgated in 2020, in order to protect the market order and the legitimate rights and interests of investors in China, China has moderately expanded the jurisdiction of the Securities Law on the basis of the original territorial jurisdiction principle, established overseas securities issuance and investment activities, and can also exercise jurisdiction over those that affect China.

So, in the field of criminal jurisdiction in China, it can also be applied in this way. At the same time, following the content of the FCPA, we should exercise our foreign jurisdiction over overseas corrupt activities, using China's financial system, and some criminal activities that occur in China. We should fully exercise our foreign jurisdiction, and legislate to associate domestic and foreign subsidiaries with their parent companies for corruption crimes. We should investigate and punish the responsibility of knowing the parent company clearly, and address criminal activities from the source. In addition, it is also important to improve the law enforcement system of foreign-related criminal jurisdiction. Due to the decentralization of anti-corruption law enforcement agencies in China, it is difficult for other countries to communicate and establish cooperative relationships with our central law enforcement agencies in a timely manner. Concentrating the power of foreign corruption in public security, disciplinary inspection and supervision, inspection agencies, and market supervision departments, it may be considered to establish an anti-overseas corruption department to specifically handle such cases, and to handle foreign criminal cases. At the same time, it can quickly accumulate experience, timely collect new trends, and take targeted measures.

## **5.3. Strengthening the Role of Multilateral Mechanisms and International Organizations**

Extraterritorial corrupt behavior, relying solely on domestic law enforcement, is not easily caught, and it also increases the possibility of jurisdictional conflicts. Seeking international cooperation is the optimal solution for foreign-related jurisdiction. China has indeed made great efforts in this regard, joining the UNCAC, and repeatedly emphasizing cross-border anti-corruption regional cooperation at the G20 and the Belt and Road Economic Forum. We can also learn from the experience of the EU, strengthen multilateral mechanisms, establish a series of bilateral and even multilateral criminal jurisdiction mechanisms between Sino-U.S., Sino-EU and Sino-Russian relations, clarifying the attribution and order of jurisdiction. Of course, in addition to joining existing anti-corruption agencies and treaties, China has the potential to take the forefront in establishing international collaboration frameworks in the region and on a global scale. For example, in recent years, some scholars in China have advocated the establishment of an international cooperation mechanism for the G20 to combat transnational commercial bribery crimes, and have proposed ideas from legislative and law enforcement perspectives. Not only the G20, such as the Belt and Road and BRICS countries, can issue initiatives and declarations to enhance China's voice in the international anti-corruption field and advocate international cooperation and exchanges.

## 6. Conclusion

With the economic transformation and changes of emerging economies, developed countries, and developing countries, many domestic enterprises in various countries have begun to conduct business overseas. The shortcomings of China's overseas anti-corruption criminal jurisdiction regulations are reflected in the criminal legislative system and criminal justice. Although China is building a legislative framework for transnational anti-corruption related crimes overseas, jurisdictional issues still exist due to imperfect legislation, weak law enforcement, and insufficient international cooperation. At the same time, China's existing relatively conservative criminal jurisdiction system limits the scope of criminal jurisdiction, resulting in limited ability to effectively respond to transnational corruption.

Faced with the expansion of the US FCPA and its extraterritorial jurisdiction, China must integrate the legislative and enforcement experience of this law to strengthen the supervision of transnational commercial bribery crimes. We must improve legislation, actively exercise foreign criminal jurisdiction, and adhere to the principle of priority territorial jurisdiction. This requires supervision of bribery within China and bribery outside the territory of Chinese enterprises. In the context of promoting the construction of China's foreign-related rule of law, it is crucial for China to appropriately draw on the advantages of the FCPA in legislation. In reaction to "long arm jurisdiction" by the United States, China can refine its existing blocking legislation, moderately expand its extraterritorial jurisdiction in specific areas, accelerate the construction of China's extraterritorial legal system, and enhance China's judicial and law enforcement capabilities. In addition, China should learn from the experience of the European Union and actively participate in international cooperation and coordination. In this way, China can strive to resolve jurisdictional conflicts that may arise from criminal acts related to corruption and bribery related to foreign affairs. During the Belt and Road Initiative's execution, China needs to enhance collaboration and support with nations involved in the initiative. By improving its domestic business climate and fostering cooperation, China aims to establish an equitable worldwide competitive setting. The commercial bribery of multinational corporations has become a major hidden danger to the economic development of China around the world. Utilizing international conventions and consensus on anti-commercial bribery, efforts are being made to grasp the discourse power, continuously improve the international anti-corruption law enforcement cooperation network, and create a healthy domestic and global business environment.

## References

- [1] Finding Fraud, <https://www.worldbank.org/en/events/2021/01/27/finding-fraud>.last accessed 2024/3/22
- [2] Nations Convention against Corruption (p28-p29), [https://www.unodc.org/unodc/en/corruption/tools\\_and\\_publications/UN-convention-against-corruption.html](https://www.unodc.org/unodc/en/corruption/tools_and_publications/UN-convention-against-corruption.html); last accessed 2024/3/02
- [3] Ian Brownie, Q. C. , Principles of Public International Law (New York : Oxford University Press, U. S. A) , 2008, p. 303.
- [4] Convention on Combating Bribery of Foreign Public Officials in International Business Transactions <https://www.oecd.org/daf/anti-bribery/anti-briberyconvention/47429828.pdf>; last accessed 2024/3/19
- [5] United States v. Christian Sapsizian, USDC FLSD 245B (Rev. 12 /03) .<https://www.justice.gov/criminal/criminal-fraud/case/united-states-v-christian-sapsizian-et-al-court-docket-number-06-cr-20797-pas>; last accessed 2024/3/18
- [6] Bingzhi Zhao, Hongyi Chen: Special probe into international criminal law and international crime.China Renmin University Press(2003). p367
- [7] United States v. Airbus SE, <https://www.justice.gov/criminal/criminal-fraud/fcpa/cases/airbus-se> last accessed 2024/3/18
- [8] ATTORNEY GENERAL JEFF SESSION'S CHINA INITIATIVE FACT SHEET, <https://www.justice.gov/opa/speech/file/1107256/dl?inline>; 2018.11.1



- [9] The Economist, How the American takeover of a French national champion became intertwined in a corruption investigation, at <https://www.economist.com/business/2019/01/17/how-the-american-takeover-of-a-french-national-champion-became-intertwined-in-a-corruption-investigation> , Feb.20,2020
- [10] Alstom Pleads Guilty and Agrees to Pay \$772 Million Criminal Penalty to Resolve Foreign Bribery Charges<https://www.justice.gov/opa/pr/alstom-pleads-guilty-and-agrees-pay-772-million-criminal-penalty-resolve-foreign-bribery> December 22, 2014
- [11] Xiao Yongping: Jurisprudential Analysis and Countermeasure Research on "Long-arm jurisdiction. China Legal Science 2019(06)
- [12] Bai Xue,Zou Guoyong:The EU's Response to the US "Long-Arm Jurisdiction":Measures, Effects and Enlightenments. Wuhan University International Law Review(2021No.5)
- [13] Xu Weigong, On Blocking Statutes to Fight Against Secondary Economic Sanctions. Studies in Law and Business2021No.2)