A growing number of countries are cracking down on companies that bribe foreign government officials after years of complaints by American firms that a tough U.S. regulation has put them at a competitive disadvantage overseas.

More than a dozen countries including Canada, Brazil and China have taken steps in the past four years to tackle bribery of foreign officials. Australia stepped up enforcement of its antibribery law last year and Colombia signed on to an international convention to eliminate corruption in international business transactions. The developments could make it more complex for multinationals to operate overseas as countries try to enforce laws beyond their borders. Yet some companies say they welcome the trend because it makes countries more transparent.

"If governments are strengthening or tightening their laws, it's beneficial for us," said Heinrich Hiesinger, chief executive of German steel and engineering conglomerate ThyssenKrupp AG. "There's a higher likelihood that we are competing on equal terms."
U.S. regulators are also aggressively pursuing settlements from foreign companies: The U.S. obtained commitments of nearly $400 million from French oil company Total SA and more than $250 million from Swiss-based oilfield services company Weatherford International last year, and $88 million from Japan's Marubeni Corp. this year for alleged violations of a U.S. antibribery law, the Foreign Corrupt Practices Act, or FCPA. The law allows regulators to pursue foreign companies with ties to the U.S., even if those ties are simply the use of bank accounts or mail in the U.S. to pursue bribery in other parts of the world. The largest settlement the U.S. got under this law was a record $800 million from German electronics company Siemens AG in a 2008 bribery case.

Siemens and Marubeni pleaded guilty to violating the U.S. law, while Total agreed to a deferred prosecution deal. Weatherford, in settling the charges, promised to retain an independent compliance monitor for 18 months.

Overall, while corporate FCPA-related enforcement actions taken by U.S. regulators has dropped over the past two years – nine cases were filed in 2013, compared with 16 in 2011 – total corporate settlement amounts collected during that time rose 43% to $720 million, according to Mike Koehler, a law professor at Southern Illinois University who tracks this data at his FCPA Professor website.

American companies have long complained that the FCPA—a 1977 law that prohibits bribes to foreign officials to secure business—puts them at a competitive disadvantage overseas. U.S. companies such as General Electric Co., Lockheed Martin Corp. and Boeing Co. played a key role in pushing for an international convention in the 1990s so foreign competitors would be bound by similar rules, according to Fritz Heimann, a founder of Berlin-based antigraft group Transparency International who retired as a lawyer for General Electric in the late 1990s.

The resulting convention, signed in 1997 by the Organization for Economic Cooperation and Development, established standards to criminalize bribery of foreign public officials and has been ratified by 40 countries, most recently taking effect in 2013 in Colombia. Meanwhile, a 2003 United Nations convention to tackle corruption has been signed by 170 countries.

Cash-strapped countries are seeing the financial appeal of passing antibribery laws because of the large settlements collected by the U.S., according to Nathaniel Edmonds, a former assistant chief at the U.S. Department of Justice's FCPA division.

"Countries as a whole are recognizing that being on the anticorruption train is a very good train to be on," said Mr. Edmonds, a partner at Paul Hastings law firm.

However, enforcement has been a thorny issue. Transparency International, in a report last year, said about half of the countries that have signed the OECD convention are taking minimal or no enforcement action because of inadequate funding, staff or resources.

A growing number of countries, nonetheless, are deepening regulatory efforts. The U.K., for instance, has emerged as one of the most active countries in pursuing foreign bribery in recent years, criminalizing bribery of foreign public officials with a 2010 law and investigating 20 cases since 2009, according to Transparency International.

Other countries are just starting to take action. Last July, Brazil passed a law that imposes fines of up to 20% of annual revenue on companies found guilty of bribery of domestic and foreign officials.

In one of its first investigations since the law passed, Brazilian authorities are working with the U.S. to determine whether aircraft maker Embraer SA—one of Brazil's highest-profile companies and one of the

world's largest commercial aircraft manufacturers--bribed officials in the Dominican Republic to secure a $90 million contract to furnish the country's armed forces with attack planes.

Embraer said it is cooperating with authorities, but was unable to comment further.

Canada amended its Corruption of Foreign Public Officials Act in June to give regulators more power to pursue overseas bribery, and to increase the maximum sentence for bribing a foreign official to 14 years from five years.

In its first trial under the antibribery law, Canada convicted an Indian-Canadian business executive in August for attempting to bribe Air India and Indian government officials to secure a contract for a facial-recognition security system.

Australia, which was criticized in 2012 by Transparency International for its lax enforcement of foreign bribery laws, formed an international task force last May with the U.S., U.K., Canada and Australia to collaborate on foreign bribery investigations. Australia has also increased the maximum fine against companies for foreign bribery and adopted a national anticorruption plan in December 2012.

Still, a level playing field remains a long way off for Western companies.

China, which has a high-profile campaign underway to root out corruption inside the country, amended its corruption law in 2011 to make it illegal to bribe overseas government officials to secure "improper" commercial benefits. But it's unclear what is considered improper, and this part of the law has yet to be tested.

Meanwhile, India and Indonesia have proposed measures to address bribery overseas, but observers are skeptical they will come to fruition.

"It's progress, not perfection," said Andrew White, managing director of the American Chamber of Commerce in Indonesia.

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