

## Sanjaya Bahel / Nishan Kohli

**Case ID:**

ARW-170

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

United Nations

**Position of Public Official(s) (yrs in office):**

Chief of the Commodity Procurement Section, Procurement Division (1998-2003); Chief of the Commercial Activities Service in the UN Postal Administration (2003-2006): Bahel); Son of close friend of Bahel (Kohli)

**Jurisdiction of Asset Recovery:**

United States

**Jurisdiction of Asset Recovery ? Description:**

Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2006

**Asset Recovery End:**

2011

**UNCAC Offenses Implicated:**

Art.16

Art.19

**Money laundering Implicated:**

No

**Legal Basis for Asset Recovery:**

Criminal Prosecution, Criminal Restitution

**Intl.Cooperation: MLAT/Letter of Request?:**

Other

**Basis for Intl Cooperation:**

Cooperation by the United Nations Office of Investigative Oversight Services/Procurement Task Force

**Contributing Factors in Asset Recovery:**

United Nations waiver of immunity of Mr. Bahel; cooperation in the investigation by the United Nations Office of Investigative Oversight Services/Procurement Task Force (Sources: United States v. Bahel, Docket No. 08-3327-cr (2nd Cir.), Judgment dated October 31, 2011; United States Attorney's Office for the Southern District of New York Press Release, "United Nations Procurement Official Sentenced to 8 Years in Prison on Corruption Charges," April 1, 2008.)

**Status of Asset Recovery :**

Completed

**Stage in Asset Recovery Chain:**

Assets Returned to Victim or Requesting Jurisdiction

**Agreement for Returned Assets:**

No

**Agreement for Returned Assets - Description:**

N/A

**Case Summary:**

According to the Press Release by the United States Attorney's Office for the Southern District of New York, on April 1, 2008, Mr. Bahel, "former Chief of the Commodity Procurement Section within the Procurement Division of the United Nations (?UN?), was sentenced today in Manhattan federal court to 97 months in prison on his convictions for accepting hundreds of thousands of dollars? worth of benefits from a UN vendor in exchange for his assistance in awarding tens of millions of dollars? worth of UN contracts to the vendor." (Source: United States Attorney's Office for the Southern District of New York Press Release, "United Nations Procurement Official Sentenced to 8 Years in Prison on Corruption Charges," April 1, 2008.) Nishan Kohli was the son of a close friend of Mr. Bahel whose companies were involved in the corruption scheme. As noted in the August 8, 2008 Stipulation and Order filed in US v. Nishan Kohli, on June 27, 2008, the US District Court ordered Mr. Bahel to pay restitution in the amount of \$932,165.30 to the United Nations, of which \$846,067.43 was to compensate the United Nations for the legal expenses that the UN incurred between February 2006 and June 2007, as a result of the US Government's investigation and prosecution of Mr. Bahel. The UN also sought (and was granted) restitution from Mr. Kohli in the amount of \$515,285.41, the amount the UN incurred between February 2006 and October 2006, prior to Mr. Kohli's cooperation with the US Government in its investigation and prosecution. (Source: US v. Nishan Kohli, Case No. 1:06-cr-00918-2-TPG (S.D.N.Y.), Stipulation and Order filed August 8, 2008 and Judgment in a Criminal Case filed August 26, 2008).

**Disposition of Criminal Case(s):**

According to his Judgment in a Criminal Case, Mr. Bahel was convicted in 2008 following a jury trial, in the US District Court for the Southern District of New York, on six counts of fraud and bribery related charges. (Source: US v. Sanjaya Bahel, Case No. 1:06-cr-00918-1TPG (S.D.N.Y.), Judgment in a Criminal Case filed June 30, 2008). His conviction was upheld by the Second Circuit appeals court. (Source: United States v. Bahel, Docket No. 08-3327-cr (2nd Cir.), Judgment dated October 31, 2011.) According to his Judgment in a Criminal Case, Mr. Kohli pleaded guilty, in December 2006, to one count bribery concerning an organization receiving federal funds. (Source: US v. Nishan Kohli, Case No. 1:06-cr-00918-2-TPG (S.D.N.Y.), Judgment in a Criminal Case filed August 26, 2008).

**Jurisdiction of Origin: Investigative Agency:**

United Nations Office of Investigative Oversight Services / Procurement Task Force

**Jurisdiction of Asset Recovery: Investigative Agency:**

Federal Bureau of Investigation; United Nations Office of Investigative Oversight Services / Procurement Task Force

**Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):**

United States Attorney for the Southern District of New York

**Jurisdiction of Asset Recovery: Courts Involved:**

US District Court for the Southern District of New York

**Documents:**

Bahel\_SDNY\_Docket\_Report\_Nov\_4\_2011.pdf

Bahel\_SDNY\_Superseding\_Indictment\_Apr\_11\_2007.PDF

Bahel\_SDNY\_Judgment\_2008.pdf

Bahel\_SDNY\_Sentencing\_Press\_Release\_Apr\_1\_2008.pdf

Bahel\_SDNY\_Satisfaction\_Judgement\_Jul\_18\_2011.pdf

Bahel\_US\_2nd\_Circuit\_Decision\_Uphold\_Conviction\_Restitution\_Oct\_26\_2011.pdf

Kohli\_SDNY\_Judgment\_Aug\_26\_2008.pdf

Kohli\_SDNY\_Stipulation\_Order\_Restitution\_Aug\_8\_2008.pdf

Kohli\_SDNY\_Satisfaction\_Judgement\_Jun\_8\_2009.pdf

**Documents:**

**Attachment****Size**

Bahel\_SDNY\_Superseding\_Indictment\_Apr\_11\_2007.pdf 730.24 KB

**Documents Links:**

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Bahel\\_SDNY\\_Doc...](http://www1.worldbank.org/finance/star_site/documents/arw/Bahel_SDNY_Doc...)

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[http://www1.worldbank.org/finance/star\\_site/documents/arw/Kohli\\_SDNY\\_Sat...](http://www1.worldbank.org/finance/star_site/documents/arw/Kohli_SDNY_Sat...)

**Other Sources:**

US v. Sanjaya Bahel, Case No. 1:06-cr-00918-1-TPG (S.D.N.Y.), Court Docket Report as of November 4, 2011; Superseding Indictment (S3) filed April 11, 2007; Judgment in a Criminal Case filed Judgment in a Criminal Case filed June 30, 2008; Satisfaction of Judgment filed July 18, 2011; United States v. Bahel, Docket No. 08-3327-cr (2nd Cir.), Judgment dated October 31, 2011. US v. Nishan Kohli, Case No. 1:06-cr-00918-2-TPG (S.D.N.Y.), Judgment in a Criminal Case filed August 26, 2008 and Stipulation and Order filed August 8, 2008; Satisfaction of Judgment filed June 8, 2009; United States Attorney's Office for the Southern District of New York Press Release, "United Nations Procurement Official Sentenced to 8 Years in Prison on Corruption Charges," April 1, 2008, accessed at <http://www.justice.gov/usao/nys/pressreleases/April08/bahelsentencingpr.pdf>