

Halliburton / Kellogg Brown & Root LLC (TSKJ Consortium Nigeria Settlement)

Case ID:

ARW-74

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

United States

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

NA

Jurisdiction of Asset Recovery:

Nigeria

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort

Asset Recovery Start:

2010

Asset Recovery End:

2010

UNCAC Offenses Implicated:

Art.16

Art.23

Money laundering Implicated:

Yes

Legal Basis for Asset Recovery:

Criminal Prosecution; Criminal Fine / Restitution

Intl.Cooperation: MLAT/Letter of Request?:

No

Basis for Intl Cooperation:

Unspecified

Contributing Factors in Asset Recovery:

Settlement agreement (Source: Halliburton Press Release, "Halliburton Confirms Agreement to Settle with Federal Government of Nigeria," December 21, 2010.)

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 a December 21, 2010 Press Release by Halliburton, as part of its agreement with the Federal Government of Nigeria (FGN), "Halliburton agreed to pay US\$32.5 million to the FGN and to pay an additional US\$2.5 million for FGN's attorneys' fees and other expenses. Among other provisions, Halliburton agreed to provide reasonable assistance in the FGN's effort to recover amounts frozen in a Swiss bank account of a former TSKJ [the

joint venture in development of the natural gas liquifaction project on Bonny Island, Nigeria] agent." (Source: Halliburton Press Release, "Halliburton Confirms Agreement to Settle with Federal Government of Nigeria," December 21, 2010; 2010 Ministerial Media Briefing on the Activities of the Federal Ministry of Justice by Mr. Mohammed Bello Adoke, SAN, Honourable Attorney-General of the Federation and Minister of Justice, 22 December 2010.) Background to the Bonny Island project and misconduct are described in US v. Kellogg Brown & Root LLC, Case No. 4:09-cr-00071 (S.D. Tex.), Plea Agreement and Statement of Facts filed on February 11, 2009. Please note that the settlement agreement with the Nigerian government is confidential and not publicly available.

Disposition of Criminal Case(s):

According to a December 21, 2010 Press Release by Halliburton, pursuant to an agreement with the Federal Government of Nigeria (FGN), "all lawsuits and charges against KBR and Halliburton corporate entities and associated persons have been withdrawn, the FGN agreed not to bring any further criminal charges or civil claims against those entities or persons." (Source: Halliburton Press Release, "Halliburton Confirms Agreement to Settle with Federal Government of Nigeria," December 21, 2010.)

Jurisdiction of Origin: Investigative Agency:

NA

Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):

NA

Jurisdiction of Origin: Courts Involved:

NA

Jurisdiction of Asset Recovery: Investigative Agency:

Economic and Financial Crimes Commission

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

Ministry of Justice, Attorney General; Economic and Financial Crimes Commission

Jurisdiction of Asset Recovery: Courts Involved:

Unspecified

Documents:

Halliburton_Nigeria_Settlement_Company_Press_Release_Dec_21_2010.pdf

Halliburton_KBR_US_Plea_Agreement_Feb_11_2009.pdf

Halliburton_KBR_Nigeria_Settlement_BBC_News_Dec_17_2010.pdf

Documents Links:

http://www1.worldbank.org/finance/star_site/documents/arw/Halliburton_Ni...

http://www1.worldbank.org/finance/star_site/documents/arw/Halliburton_KB...

http://www1.worldbank.org/finance/star_site/documents/arw/Halliburton_KB...

Other Sources:

Halliburton Press Release, "Halliburton Confirms Agreement to Settle with Federal Government of Nigeria," December 21, 2010, accessed at www.halliburton.com/public/news/pubsdata/press_release/2010/corpnws_1221...

2010 Ministerial Media Briefing on the Activities of the Federal Ministry of Justice by Mr. Mohammed Bello Adoke, SAN, Honourable Attorney-General of the Federation and Minister of Justice, 22 December 2010;

BBC News, "Nigeria drops Dick Cheney bribery charges," December 17, 2010 (quoting EFCC spokesman Femi Babafemi), accessed at <http://www.bbc.co.uk/news/world-africa-12018900>.

See also, US v. Kellogg Brown & Root LLC, Case No. 4:09-cr-00071 (S.D. Tex.), Plea

Agreement and Statement of Facts filed on February 11, 2009, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/kelloggb/02-11-09kbr-pl...>