

JGC Corporation (TSKJ Consortium Nigeria Settlement)

Case ID:

ARW-89

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Japan

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:

2011

UNCAC Offenses Implicated:

Art.16

Art.23

Money laundering Implicated:

Yes

Legal Basis for Asset Recovery:

Criminal Prosecution; Criminal Fine and Restitution

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

N/A

Contributing Factors in Asset Recovery:

Settlement Agreement (Source: JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011.)

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 JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011, JGC reached a settlement with the Nigerian authorities in January 2011 to settle charges arising from the Bonny Island/LNG project. The company agreed to pay 2.5 billion yen. (Source: JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011.) Background on the Bonny Island project, TSKJ joint venture and the JGC Corporation's settlement with the US Department of Justice are described in US v. JGC Corporation, Case

No. 4:11-cr-00260 (S.D. Tex.), Deferred Prosecution Agreement and Statement of Facts filed April 6, 2011. Please note that the exact date of Nigerian settlement is not known; January 31, 2011 was used as date for purposes of currency conversion from yen to US dollars. Please note that the settlement agreement with the Nigerian government is confidential and not publicly available.

Disposition of Criminal Case(s):

According to the JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011, JGC reached a settlement with the Nigerian authorities in January 2011. No other details were noted in the company's notice. (Source: JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011.)

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:

N/A

Documents:

JGC_Corporation_fy10_3rdqtr_revision_Jan_31_2011.pdf

JGC_Corporation_US_DOJ_Deferred_Prosecution_Agreement_Apr_6_2011.pdf

Documents Links:

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

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

Other Sources:

JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011, accessed at

http://www.jgc.co.jp/en/06ir/pdf/financial_statements-summary/FY10/fy10_...

US v. JGC Corporation, Case No. 4:11-cr-00260 (S.D. Tex.), Deferred Prosecution Agreement and Statement of Facts filed April 6, 2011, accessed at

<http://www.justice.gov/criminal/fraud/fcpa/cases/jgc-corp/04-6-11jgc-cor....>