

Snamprogetti Netherlands BV and ENI S.p.A. (TSKJ Consortium Nigeria Settlement)

Case ID:

ARW-176

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Italy

Netherlands

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

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Criminal Prosecution; Criminal Fine

Contributing Factors in Asset Recovery:

Settlement Agreement (Source: ENI/Saipem company Press Release, "Snamprogetti Netherlands BV enters agreement with Federal Government of Nigeria," December 20, 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 Press Release by the ENI company, as part of its subsidiary Snamprogetti Netherlands BV's settlement and non-prosecution agreement with the Nigerian authorities, Snamprogetti agreed to the payment of a criminal penalty of \$30 million and of \$2.5 million as reimbursement for legal costs and expenses incurred by the Nigerian authorities. In addition to dismissing all charges filed in Nigeria, the authorities agreed to renounce civil claims and criminal charges in any jurisdiction. (Source: ENI/Saipem company Press Release, "Snamprogetti Netherlands BV enters agreement with Federal Government of Nigeria," December 20, 2010.) Background on the Bonny Island project, TSKJ joint venture and Snamprogetti Netherlands BV's settlement with the US Department of Justice are described in

US v.Snamprogetti Netherlands BV, Case No. 4:10-cr-00460 (S.D. Tex.), Deferred Prosecution Agreement and Statement of Facts, filed July 7, 2010. Please note that the settlement agreement with the Nigerian government is confidential and not publicly available.

Disposition of Criminal Case(s):

According to a Press Release by the ENI company, its subsidiary Snamprogetti Netherlands BV entered into a settlement and non-prosecution agreement with the Nigerian authorities to resolve an investigation into the activities of Snamprogetti, as member of the TSKJ consortium, in connection with contracts to build liquid natural [gas] facilities on Bonny Island, Nigeria. The Government of Nigeria agreed to dismiss all charges against Snamprogetti. (Source: ENI/Saipem company Press Release, "Snamprogetti Netherlands BV enters agreement with Federal Government of Nigeria," December 20, 2010.)

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

Documents:

Snamprogetti_Nigeria_Settlement_Company_Statement_2013pr_10-12-20_TSKJ.pdf

Snamprogetti_US_DOJ_Deferred_Prosecution_Agreement_Jul_7_2010.pdf

Documents Links:

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

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

Other Sources:

ENI/Saipem company Press Release, "Snamprogetti Netherlands BV enters agreement with Federal Government of Nigeria," December 20, 2010, accessed at

<http://www.saipem.com/site/download.jsp?idDocument=2013&instance=2;>

US v.Snamprogetti Netherlands BV, Case No. 4:10-cr-00460 (S.D. Tex.), Deferred Prosecution Agreement and Statement of Facts, filed July 7, 2010, accessed at

<http://www.justice.gov/criminal/fraud/fcpa/cases/snamprogetti/07-07-10sn...>