

## Chevron Corporation

**Case ID:**

ARW-41

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

Iraq

**Jurisdiction of Asset Recovery:**

Iraq [Development Fund for Iraq]

United States

**Jurisdiction of Asset Recovery ? Description:**

Undertaking Recovery Effort, Location of Recovery Effort

**Asset Recovery Start:**

2007

**Asset Recovery End:**

2007

**UNCAC Offenses Implicated:**

Art.16

**Legal Basis for Asset Recovery:**

Criminal Prosecution and Restitution

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

Unknown

**Contributing Factors in Asset Recovery:**

The United States Attorney for the Southern District of New York and Chevron's Non-Prosecution Agreement included a provision for forfeiture of funds which were then transferred the Development Fund of Iraq "to be used as restitution to the people of Iraq as the intended beneficiaries of the proceeds of the sale of all Iraqi oil made pursuant to the United Nations Oil-for-Food Program." (Source: Chevron Non-Prosecution Agreement dated November 8, 2007.)

**Status of Asset Recovery :**

Completed

**Stage in Asset Recovery Chain:**

Assets Returned to Victim or Requesting Jurisdiction

**Agreement for Returned Assets:**

Yes

**Agreement for Returned Assets - Description:**

Forfeited funds returned to people of Iraq via Development Fund of Iraq

**Case Summary:**

In 2007, Chevron entered into a Non-Prosecution Agreement with US authorities, in relation to the UN Oil-for-Food scheme. According to the agreement, Chevron admitted that it had "obtained Iraqi oil under the Program from third parties that paid secret, illegal surcharges to the former government of Iraq, in violation of United States wire fraud statutes and administrative regulations that prohibited transactions with the former Government of Iraq. Pursuant to the Agreement, CHEVRON will make the following payments totaling \$27,000,000: (1) forfeiture of \$20,000,000 to the U.S. Attorney's Office for the Southern District of New York ("SDNY"), which will seek to transfer that money to the Development Fund of Iraq (established on May 21, 2003, by United Nations Security Council Resolution

1483) to be paid as restitution for the benefit of the people of Iraq; (2) \$5,000,000 to the New York County District Attorney's Office ("DANY") to be distributed as DANY shall deem appropriate; and (3) \$2,000,000 to OFAC in settlement of civil penalties. In a separate agreement, CHEVRON agreed to pay an additional monetary penalty of \$3,000,000 to the Securities and Exchange Commission ("SEC"), and to pay disgorgement of \$25,000,000, which will be satisfied by their payments to SDNY and DANY. (Source: United States Attorney Southern District of New York Press Release, "Chevron Corporation Agrees to Pay \$30 Million in Oil-for-Food Settlement," November 14, 2007.)

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

In 2007, Chevron entered into a Non-Prosecution Agreement with the US Attorney for the Southern District of New York and the New York County District Attorney's Office. (Source: United States Attorney Southern District of New York, "Chevron Corporation Agrees to Pay \$30 Million in Oil-for-Food Settlement," November 14, 2007.)

**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:**

Federal Bureau of Investigation, Securities and Exchange Commission, Office of Foreign Assets Control, New York Police Department




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

United States Attorney for the Southern District of New York, New York County District Attorney's Office

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

NA

**Documents:**

<b>Attachment</b>	<b>Size</b>
 Chevron_SDNY_Non-Prosecution_Agreement_2007.pdf	543.26 KB
 Chevron_SDNY_Agreement_PR_Mar_7_2008.pdf	151.34 KB
 Chevron_SEC_Complaint_2008.pdf	963.38 KB
 Chevron_SEC_Litigation_Release_Nov_2007.pdf	90.99 KB

**Other Sources:**

United States Attorney for Southern District of New York Press Release, "Chevron Corporation Agrees to Pay \$30 Million in Oil-for-Food Settlement," November 14, 2007 <[http://lib.law.virginia.edu/Garrett/prosecution\\_agreements/press\\_release/Chevron.pdf](http://lib.law.virginia.edu/Garrett/prosecution_agreements/press_release/Chevron.pdf)>; Chevron Non-Prosecution Agreement dated November 8, 2007.