

ABB Ltd. (Matter #76) / ABB Vetco Gray, Inc.

Case ID:

ST-11

Case Cluster :

ABB Ltd. (Matter #76)

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Nigeria

Year of Settlement:

2004

Month/Day of Settlement (or Notes):

07/06

Other Jurisdictions of Settlement:

Unknown

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Guilty Plea

Monetary Sanctions (Types):

Criminal Fine

Total Monetary Sanctions (US\$):

\$5,250,000.00

Criminal Fine/Penalty (US\$) :

\$5,250,000

Monetary Sanctions Returned / Ordered Returned (US\$):

\$0

UNCAC Articles(s) Implicated:

Art.16

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2

Offenses - Alleged:

Bribery of foreign officials

Offenses - Settled:

Bribery of foreign officials

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the US Department of Justice Press Release, "The criminal information charges that the two companies [Vetco Gray, Inc. and Vetco Gray UK Ltd.] paid bribes to officials of

NAPIMS, a Nigerian government agency that evaluates and approves potential bidders for contract work on oil exploration projects in Nigeria, including bidders seeking subcontracts with foreign oil and gas companies. According to the stipulated statement of facts, the companies paid more than \$1 million in exchange for obtaining confidential bid information and favorable recommendations from Nigerian government agencies in connection with seven oil and gas construction contracts in Nigeria from which the companies expected to realize profits of almost \$12 million." The companies entered guilty pleas and agreed to each pay \$5.25 million in criminal fines. (Source: US Department of Justice Press Release, "ABB Vetco Gray, Inc. and ABB Vetco Gray UK Ltd. Plead Guilty to Foreign Bribery Charges," July 6, 2004.)

Sources :

US Report to the Organisation for Economic Co-operation and Development, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions," Information as of May 31, 2011, ABB Ltd. Case Summary (#76) at 114-116, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US v. ABB Vetco Gray, Inc. and ABB Vetco Gray UK Ltd., Case No. 04-cr-279 (S.D. Tex.), Information filed on June 22, 2004, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/abb/06-22-04abbvetco-info.pdf>; Vetco Gray, Inc. Plea Agreement (July 6, 2004), accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/abb/07-06-04abbvetco-plea.pdf>; Vetco Gray UK Ltd. Plea Agreement (July 6, 2004), accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/abb/07-06-04abbvetco-plea-uk.pdf>; US Department of Justice Press Release, "ABB VETCO GRAY, INC. AND ABB VETCO GRAY UK LTD. PLEAD GUILTY TO FOREIGN BRIBERY CHARGES," July 6, 2004, accessed at http://www.justice.gov/opa/pr/2004/July/04_crm_465.htm