

## **Alstom S.A. / Alstom Hydro France, Alstom Network Schweiz AG (Switzerland)**

**Case ID:**

ST-38

**Case Cluster :**

Alstom S.A.

**Jurisdiction of Settlement / Enforcement Agency:**

Integrity Vice Presidency

**Jurisdiction of Foreign Public Official(s) :**

Zambia

**Year of Settlement:**

2012

**Month/Day of Settlement (or Notes):**

02/22

**Other Jurisdictions of Settlement:**

Switzerland

**Settlement with Individual or Legal Person?:**

Legal Person

**Type of Settlement:**

Administrative

**Legal Form of Settlement:**

Negotiated Resolution Agreement

**Monetary Sanctions (Types):**

Restitution

**Total Monetary Sanctions (US\$):**

\$9,500,000.00

**Other Civil Monetary Sanctions (US\$):**

\$9

500

000

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

\$9,500,000

**Monetary Sanctions Returned / Ordered Returned (Explanation):**

Restitution to World Bank

**UNCAC Articles(s) Implicated:**

Art.16

Art.23

Art.26

**OECD Anti-Bribery Convention Articles Implicated:**

Art. 1, Art. 2

**Offenses - Alleged:**

Improper payment to an entity controlled by a former senior government official

**Offenses - Settled:**

Improper payment to an entity controlled by a former senior government official

**Public Procurement Contract / SOE Involved?:**

Yes

**Summary:**

According to the World Bank press release dated February 22, 2012, "The World Bank Group today announced the debarment of Alstom Hydro France and Alstom Network Schweiz AG (Switzerland) - in addition to their affiliates - for a period of three years following Alstom's acknowledgment of misconduct in relation to a Bank-financed hydropower project. The debarment is part of a Negotiated Resolution Agreement between Alstom and the World Bank which also includes a restitution payment by the two companies totaling approximately \$9.5 million. The debarment can be reduced to 21 months - with enhanced oversight - if the companies comply with all conditions of the agreement. [ ] In 2002, Alstom made an improper payment of €110,000, to an entity controlled by a former senior government official for consultancy services in relation to the World Bank-financed Zambia Power Rehabilitation Project. During the debarment period of Alstom Hydro France and Alstom Network Schweiz AG, Alstom SA and its other affiliates are conditionally non-debarred. Under the Agreement, Alstom SA, Alstom Hydro France, Alstom Network Schweiz AG and their affiliates commit to cooperating with the World Bank's Integrity Vice Presidency and continuing to improve their internal compliance program. The debarment of Alstom Hydro France and Alstom Network Schweiz qualifies for cross-debarment by other MDBs under the Agreement of Mutual Recognition of Debarments that was signed on April 9, 2010." (Source: The World Bank Press Release No: 2012/282/INT, "Enforcing Accountability: World Bank Debars Alstom Hydro France, Alstom Network Schweiz AG, and their Affiliates," February 22, 2012.)

**Sources :**

The World Bank Press Release No: 2012/282/INT, "Enforcing Accountability: World Bank Debars Alstom Hydro France, Alstom Network Schweiz AG, and their Affiliates," February 22, 2012, accessed at

<http://web.worldbank.org/WBSITE/EXTERNAL/NEWS/0,,print:Y~isCURL:Y~contentMDK:23123315~pa>