

Bonny Island Liquefied Natural Gas Bribe Scheme (TSKJ Consortium) / Albert "Jack" Stanley

Case ID:

ST-68

Case Cluster :

Bonny Island Liquefied Natural Gas Bribe Scheme

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Nigeria

Year of Settlement:

2008

Month/Day of Settlement (or Notes):

09/03

Other Jurisdictions of Settlement:

None

Settlement with Individual or Legal Person?:

Individual

Type of Settlement:

Criminal

Legal Form of Settlement:

Guilty Plea

Monetary Sanctions (Types):

Criminal Restitution

Total Monetary Sanctions (US\$):

\$10,800,000.00

Criminal Fine/Penalty (US\$) :

\$0

Criminal Restitution / Reparation (US\$):

\$10

800

000

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

\$10,800,000

Monetary Sanctions Returned / Ordered Returned (Explanation):

Restitution to Former Employer (unspecified)

UNCAC Articles(s) Implicated:

Art.16

Art.23

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 7

Offenses - Alleged:

Conspiracy to bribe foreign officials, Conspiracy to commit wire fraud

Offenses - Settled:

Conspiracy to bribe foreign officials, Conspiracy to commit wire fraud

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the June 2011 Report by the United States to the OECD, "From 1995-2004, Kellogg Brown & Root Inc. (KBR), Technip S.A. (Technip), Snamprogetti Netherlands B.V. (Snamprogetti), and JGC were each part of the TSKJ joint venture that was awarded four EPC contracts by Nigeria LNG Ltd. (NLNG), which is 49 percent owned by the government-owned Nigerian National Petroleum Corporation (NNPC). These contracts, which were valued at more than \$6 billion, were part of a four-company joint venture that was awarded four EPC contracts by Nigeria LNG Ltd. (NLNG), which is 49 percent owned by the government-owned Nigerian National Petroleum Corporation (NNPC). These contracts, which were valued at more than \$6 billion, were for the construction of LNG facilities on Bonny Island. In exchange for being awarded these EPC contracts, the joint-venture partners used two agents to pay bribes totaled in excess of \$182 million to a range of Nigerian government officials, including officials of the executive branch of the Nigerian government and officials at NNPC and NLNG." (Source: Report by the United States to the OECD, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions" (June 2011), Bonny Island Liquefied Gas Bribe Scheme Case Summary at 17-19.) According to the Plea Agreement, Stanley, a US citizen, "agrees to pay restitution to the victim(s) of Count 2 of the Information [Conspiracy to commit mail and wire fraud]. The Defendant stipulates and agrees that as a result of his criminal conduct the victim, his former employer, incurred a monetary loss of \$10.8 million. The Defendant and the United States agree to recommend that the Court order restitution of \$10.8 million." (Source: US v. Stanley, Case No. 4:08-cr-597 (S.D. Tex.), Plea Agreement filed September 3, 2008, para 7.) According to the US Department of Justice Press Release, "Significant assistance was provided by the SEC's Division of Enforcement and by the authorities in France, Italy, Switzerland and the United Kingdom." (Source: US Department of Justice Press Release, "Former Officer and Director of Global Engineering and Construction Company Pleads Guilty to Foreign Bribery and Kickback Charges," September 3, 2008.)

Sources :

Report by the United States to the OECD, "Steps taken to implement and enforce the OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions" (June 2011), Bonny Island Liquefied Gas Bribe Scheme Case Summary at 17-19, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US v. Albert Jackson Stanley, Case No. 4:08-cr-597 (S.D. Tex.), Information filed on August 29, 2008 and unsealed on September 3, 2008, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/stanleya/08-29-08stanley-info.pdf>; Plea Agreement filed September 3, 2008, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/stanleya/09-03-08stanley-plea-agree.pdf>; and Court Docket Report retrieved on February 27, 2012 (via PACER). See also, US Department of Justice Press Release, "Former Officer and Director of Global Engineering and Construction Company Pleads Guilty to Foreign Bribery and Kickback Charges," September 3, 2008, accessed at <http://www.justice.gov/opa/pr/2008/September/08-crm-772.html>