

Bonny Island Liquefied Natural Gas Bribe Scheme (TSKJ Consortium) / JGC Corporation

Case ID:

ST-72

Case Cluster :

Bonny Island Liquefied Natural Gas Bribe Scheme

Jurisdiction of Settlement:

Nigeria

Jurisdiction of Settlement / Enforcement Agency:

Economic and Financial Crimes Commission

Jurisdiction of Foreign Public Official(s) :

Nigeria

Year of Settlement:

2011

Month/Day of Settlement (or Notes):

January

Other Jurisdictions of Settlement:

United States

Settlement with Individual or Legal Person?:

Legal Person

Type of Settlement:

Criminal

Legal Form of Settlement:

Non-Prosecution agreement

Monetary Sanctions (Types):

Criminal Fine, Disgorgement

Total Monetary Sanctions (US\$):

\$28,500,000.00

Criminal Fine/Penalty (US\$) :

\$28,500,000

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

\$28,500,000

Monetary Sanctions Returned / Ordered Returned (Explanation):

Enforcement by "Affected" Jurisdiction

UNCAC Articles(s) Implicated:

Art.16

Art.23

Art.26

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 2, Art. 7, Art. 8

Offenses - Alleged:

Unknown (Bribery offenses related to the Bonny Island Natural Gas Bribe Scheme)

Offenses - Settled:

Unknown

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011, JGC reached a settlement with the Nigerian authorities in January 2011. No other details were noted in the company's notice. (Source: JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011.) Please note that the settlement agreement with the Nigerian government is confidential and not publicly available. However, on December 22, 2010, the Nigerian Attorney General and Minister of Justice stated at a media briefing that the total sum of \$170.8 million had been paid by foreign companies to settle bribery charges and/or allegations and that the sums represented fines and disgorgement of profits. (Source: 2010 Ministerial Media Briefing on the Activities of the Federal Ministry of Justice, by Mr. Mohammed Bello Adoke, SAN, Attorney General and Minister of Justice, Annual Press Briefing, 22 December 2010.)

Sources :

Nigeria Settlement: 2010 Ministerial Media Briefing on the Activities of the Federal Ministry of Justice, by Mr. Mohammed Bello Adoke, SAN, Attorney General and Minister of Justice, Annual Press Briefing, 22 December 2010, provided to the study by the Nigerian Economic and Financial Crimes Commission. JGC Corporation's January 31, 2011 Notice of Loss and Revisions of Earnings Forecasts for Fiscal Year Ending March 31, 2011, accessed at http://www.jgc.co.jp/en/06ir/pdf/financial_statements_summary/fy10/fy10_3rdqtr_revision.pdf; US Settlement: US v. JGC Corporation, Case No. 4:11-cr-00260 (S.D. Tex.), Deferred Prosecution Agreement and Statement of Facts filed April 6, 2011, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/jgc-corp/04-6-11jgc-corp-dpa.pdf>.