

Bonny Island Liquefied Natural Gas Bribe Scheme (TSKJ Consortium) / Wojciech J. Chodan

Case ID:

ST-83

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:

2010

Month/Day of Settlement (or Notes):

12/06

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 Fine, Criminal Forfeiture

Total Monetary Sanctions (US\$):

\$746,885.00

Criminal Fine/Penalty (US\$) :

\$20,000

Criminal Forfeiture / Confiscation (US\$):

\$726

885

Monetary Sanctions Returned / Ordered Returned (Explanation):

Unspecified

UNCAC Articles(s) Implicated:

Art.16

Art.23

OECD Anti-Bribery Convention Articles Implicated:

Art. 1, Art. 7, Art. 8

Offenses - Alleged:

Conspiracy to Bribe Foreign Officials, Bribery of Foreign Officials

Offenses - Settled:

Conspiracy to Bribe Foreign Officials, Bribery of Foreign Officials

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.) The US Department of Justice Press Release on Chodan's Plea Agreement noted that "Significant assistance was provided by [] by authorities in France, Italy, Switzerland and the United Kingdom, including in particular the Crown Prosecution Service, the Serious Fraud Office's International Assistance and Anti-Corruption Units, the London Metropolitan Police and the City of London Police." (Source: US Department of Justice Press Release, "UK Citizen Pleads Guilty to Conspiring to Bribe Nigerian Government Officials to Obtain Lucrative Contracts as Part of KBR Joint Venture Scheme," December 6, 2010.)

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. Jeffrey Tesler and Wojciech J. Chodan, Case No. 09-cr-098 (S.D. Tex.), Indictment filed February 17, 2009, accessed at www.justice.gov/criminal/fraud/fcpa/cases/tesler/tesler-indict.pdf; Plea Agreement filed December 6, 2010, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/chodan/12-06-10chodan-plea.pdf> and Court Docket Report retrieved on February 27, 2012 (via PACER). US Department of Justice Press Release, "UK Citizen Pleads Guilty to Conspiring to Bribe Nigerian Government Officials to Obtain Lucrative Contracts as Part of KBR Joint Venture Scheme," December 6, 2010, accessed at <http://www.justice.gov/opa/pr/2010/December/10-crm-1391.html>