

Siemens AG / Siemens Bangladesh Limited

Case ID:

ST-325

Case Cluster :

Siemens AG

Jurisdiction of Settlement:

United States

Jurisdiction of Settlement / Enforcement Agency:

Department of Justice

Jurisdiction of Foreign Public Official(s) :

Bangladesh

Year of Settlement:

2008

Month/Day of Settlement (or Notes):

12/15

Other Jurisdictions of Settlement:

Germany, World Bank

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\$):

\$500,000.00

Criminal Fine/Penalty (US\$) :

\$500,000

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

\$0

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:

Conspiracy to Bribe Foreign Officials

Offenses - Settled:

Conspiracy to Bribe Foreign Officials

Public Procurement Contract / SOE Involved?:

Yes

Summary:

According to the June 2011 United States Report to the OECD, "On December 11, 2008,

Siemens Aktiengesellschaft (Siemens AG), a German corporation, and three of its subsidiaries were charged in separate criminal informations filed in the U.S. District Court for the District of Columbia for their roles in a scheme to bribe foreign officials in several countries. [] Bangladesh: From 2001 through 2006, Siemens Bangladesh caused corrupt payments of at least \$5,319,839 to be made through purported business consultants to various Bangladeshi officials in exchange for favorable treatment during the bidding process on a mobile telephone project. At least one payment to each of these purported consultants was paid from a U.S. bank account." (Source: 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, Siemens Aktiengesellschaft (Siemens AG) Case Summary at 70-73.)

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, Siemens Aktiengesellschaft (Siemens AG) Case Summary at 70-73, accessed at <http://www.oecd.org/dataoecd/18/8/42103833.pdf>. US v. Siemens Bangladesh Limited, Case No. 1:08-cr-369-RJL (D.D.C.), Information filed December 12, 2008, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/siemens/12-12-08siemensbangla-info.pdf>; Plea Agreement filed December 15, 2008, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/siemens/12-15-08siemensbangla-plea.pdf>; Statement of Facts filed December 15, 2008, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/siemens/12-15-08siemensbangla-statement.pdf>; Judgment filed January 6, 2009, accessed at <http://www.justice.gov/criminal/fraud/fcpa/cases/siemens/01-06-09siemensbangla-judgment.pdf>