

## SNC-Lavalin / Riadh Ben Aissa

**Case ID:**

ST-512

**Case Cluster :**

SNC-Lavalin

**Jurisdiction of Settlement:**

Switzerland

**Jurisdiction of Settlement / Enforcement Agency:**

Federal Prosecutor General

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

Bangladesh

**Year of Settlement:**

2014

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

8/5

**Other Jurisdictions of Settlement:**

Unknown

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

Individual

**Type of Settlement:**

Criminal

**Legal Form of Settlement:**

Guilty Plea

**Monetary Sanctions (Types):**

Criminal Forfeiture, Criminal Restitution

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

\$40,300,000

**Criminal Fine/Penalty (US\$) :**

\$0

**Criminal Fine / Penalty (Explanation):**

NA

**Criminal Forfeiture / Confiscation (US\$):**

\$27

000

000

**Criminal Restitution / Reparation (US\$):**

\$13

300

000

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

\$13,300,000

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

Return to SNC Lavalin (Partie Plaignante)

**UNCAC Articles(s) Implicated:**

Art.16

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

Art. 1, Art. 7

**Offenses - Alleged:**

Bribery of foreign officials; Money laundering; Fraud; Mismanagement

**Offenses - Settled:**

Bribery of foreign officials; Money laundering; Fraud; Mismanagement

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

Yes

**Summary:**

According to the Wall Street Journal and other secondary sources, the Swiss Federal Criminal Court approved the plea agreement by Mr. Riad Ben Aissa, which included forfeiture of CHF 40 million of which CHF 13 million was provided to SNC-Lavalin, which was permitted to file claim as a victim. (Source: James V. Grimaldi and Margaret T. Coker, "Canadian Firm Recoups Cash in Bribery Probe," December 11, 2014; Greg McArthur, "Swiss court grants SNC special status in fraud case against former executive," May 22, 2013.)

**Sources :**

Acte d'accusation en procedure simplifiee, Riad Ben Aissa, August 5, 2014, at [http://nawaat.org/portail/wp-content/uploads/Acte\\_Accusation\\_riadh\\_Ben\\_Aissa\\_ALSTOM.pdf](http://nawaat.org/portail/wp-content/uploads/Acte_Accusation_riadh_Ben_Aissa_ALSTOM.pdf); James V. Grimaldi and Margaret T. Coker, "Canadian Firm Recoups Cash in Bribery Probe," December 11, 2014, at <http://www.wsj.com/articles/canadian-firm-recoups-cash-in-bribery-case-1418343614>; Greg McArthur, "Swiss court grants SNC special status in fraud case against former executive," May 22, 2013, at <http://www.theglobeandmail.com/report-on-business/swiss-court-grants-snc-special-status-in-fraud-case-against-former-executive/article12053350/>; Brian Hutchinson, "Inside the 'clandestine world' of SNC-Lavalin's fallen star Riadh Ben Aissa," March 18, 2015, at <http://business.financialpost.com/legal-post/inside-the-clandestine-world-of-snc-lavalins-fallen-star-riadh-ben-aissa>