



SFO

SERIOUS FRAUD OFFICE
THE DIRECTOR

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Director: Lisa Osofsky

Susan Hawley
Executive Director
Spotlight on Corruption

Sent by email only to susan@spotlightcorruption.org

Date: 29 March 2023

*Dear Sue - Good to speak earlier
this month. We appreciate your interest.*

I am writing in response to your letter of 16th February 2023 requesting information on enforcement activity connected to proceeds of crime recovery in the SFO's investigation into Unaoil.

Our investigation into corruption at Unaoil yielded some considerable successes, including uncovering the payment of over \$17 million in bribes to win \$1.7 billion in oil contracts in Iraq, the successful DPA with Amec Foster Wheeler Energy Ltd., and corporate and individual convictions in our Petrofac case.

The SFO took every possible action to bring the Ahsanis to justice in the UK. However, as all three members of Ahsani family entered resolutions in the USA, this means that there was and remains no viable option for the SFO to bring any enforcement or recovery action against them. Saman and Cyrus Ahsani pleaded guilty to conspiring with multiple companies and employees to make corrupt payments to foreign government officials in multiple locations, which included the conduct being investigated by the SFO. The Ahsani's non prosecution agreement was in relation to similarly broad conduct and it was determined that it was not in the public interest to prosecute him here for reasons which included the fact he had entered into a NPA in another jurisdiction.

The routes available to the SFO to recover proceeds of crime are Part 2 of the Proceeds of Crime Act (confiscation) and Part 5 (civil recovery). Part 2 only applies where there have been convictions in the UK and we cannot seek a conviction for the conduct that has already been tried in the USA.

A civil recovery under Part 5 was considered but in all the circumstances of this case was not feasible, as civil recovery under Part 5 requires the SFO to prove to a judge that the assets that are or represent property (for example, shares) were obtained as a result of unlawful conduct. In this case, it would not be correct to assume that all profits made by the Ahsanis from Unaoil were the result of corruption.

As you are aware, Saman Ahsani has now been sentenced in the US to one year's imprisonment and a fine of \$1.5 million, Ata Ahsani was required to pay \$2.5m as part of his NPA agreement, and Cyrus Ahsani awaits sentence.



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As the UK investigative and prosecuting authority responsible for tackling the top level of serious fraud, bribery and corruption, we remain committed to placing information in the public domain when appropriate. However, on occasion, we are unable to disclose certain information in order to safeguard investigatory or prosecutorial processes, as was previously the case in this specific matter.

Yours sincerely,

Lisa Osofsky
Director