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# SICPA SA convicted of corporate criminal liability in connection with acts of corruption

**Bern, 27.04.2023 - The Office of the Attorney General of Switzerland (OAG) has ordered SICPA SA to pay CHF 81 million for corporate criminal liability in connection with acts of corruption. A former sales manager of SICPA was also handed a conditional prison sentence of 170 days. The proceedings against the CEO and major shareholder of SICPA are being discontinued.**

With the penalty order issued in accordance with Art. 102 para. 2 SCC in conjunction with Art. 322septies SCC, SICPA SA (SICPA) has acknowledged that it failed to take all necessary and reasonable organisational precautions to prevent bribes to foreign public officials. The OAG has accordingly ordered the company to pay a fine of CHF 1 million and imposed an equivalent claim for compensation amounting to CHF 80 million under Art. 71 para. 1 SCC.

## **Organisational deficiencies**

The proceedings identified organisational deficiencies that made it possible for employees of SICPA to bribe public officials in the conduct of business in Brazil, Colombia and Venezuela. Organisational deficiencies were particularly evident in the areas of corporate governance, risk management and compliance.

## **Bribery of foreign public officials**

In the penalty order, the OAG finds the former sales manager of SICPA, who took advantage of the deficiencies, guilty of bribery of foreign public officials under Art. 322septies SCC. He is being sentenced to a conditional prison term of 170 days. The order states that he paid bribes to high-ranking officials in the Colombian and Venezuelan markets between 2009 and 2011. The proceedings conducted against the same former sales manager on suspicion

of embezzlement and money laundering are being discontinued pursuant to Art. 319 para. 1 lit. a Criminal Procedure Code (CrimPC), because suspicions justifying an indictment have not been corroborated.

### **Criminal proceedings discontinued**

The proceedings against the CEO and main shareholder of SICPA are also being discontinued pursuant to Art. 319 para. 1 lit. a SCC. However, the OAG is ordering him to bear a portion of the costs of the proceedings and has not awarded him any compensation.

SICPA and its former employee have declared that they will not be appealing against the penalty orders, which will be legally binding.

Original version of the text in German

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### **Publisher**

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