

Muammar el-Qaddafi (and related entities and individuals) - Netherlands Asset Return

Case ID:

ARW-139

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Libya

Position of Public Official(s) (yrs in office):

President (1969-2011)

Jurisdiction of Asset Recovery:

Netherlands

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location

Asset Recovery Start:

2011

Asset Recovery End:

2011

UNCAC Offenses Implicated:

Art.20

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

United Nations Security Council sanctions

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

Unknown

Contributing Factors in Asset Recovery:

Transitional Financial Mechanism set up by the International Contact Group for Libya. The mechanism has safeguards in place to ensure responsible spending. The funds will go towards humanitarian needs, such as food and medicines, and education and salaries. (Source: The Netherlands Ministry of Foreign Affairs, "The Netherlands unfreezes 2 billion dollars? worth of Libyan assets," September 12, 2011.)

Status of Asset Recovery :

Completed

Stage in Asset Recovery Chain:

Investigation/Asset Tracing/Asset Restraint

Assets Returned (USD) - Description:

\$2 billion in Libyan assets returned; unspecified as to whether any of the assets were owned by Mr. Qaddafi or his family or associates

Agreement for Returned Assets:

Yes

Agreement for Returned Assets - Description:

According to a news article by the Netherlands Ministry of Foreign Affairs, "The money, which came from the Libyan Central Bank, will be made available to the National Transitional

Council (NTC) through the Transitional Financial Mechanism set up by the International Contact Group for Libya. The mechanism has safeguards in place to ensure responsible spending. The funds will go towards humanitarian needs, such as food and medicines, and education and salaries." (Source: The Netherlands Ministry of Foreign Affairs, "The Netherlands unfreezes 2 billion dollars? worth of Libyan assets," September 12, 2011.)

Case Summary:

According to a news article by The Netherlands Ministry of Foreign Affairs, on September 12, 2011, the Netherlands agreed to unfreeze US \$2 billion in Libyan assets that had previously been blocked by the Dutch government. (Source: The Netherlands Ministry of Foreign Affairs, "The Netherlands unfreezes 2 billion dollars? worth of Libyan assets," September 12, 2011.) In August 2011, the (UK) Telegraph reported that the Netherlands had frozen some EUR 3.1 billion in Libyan assets. (Source: The Telegraph, "Libya: Netherlands gives £87 million of frozen assets to WHO, August 16, 2011.)

Disposition of Criminal Case(s):

Mr. Qaddafi passed away on October 20, 2011 (Source: New York Times, "Muammar el Qaddafi"); as of October 31, 2011 cases in investigatory stage as to other individuals and entities.

Documents:

Qaddafi_Netherlands_Min_Foreign_Affairs_Unfreeze_2_Billion_Sep_12_2011.pdf

Qaddafi_Netherlands_Freeze_3_Billions_Telegraph_Aug_16_2011.pdf

Qaddafi_NYT_Topic_Update_Oct_25_2011.pdf

Documents Links:

Other Sources:

The Netherlands Ministry of Foreign Affairs, "The Netherlands unfreezes 2 billion dollars? worth of Libyan assets," September 12, 2011, accessed at <http://www.minbuza.nl/en/news/2011/09/the-netherlands-unfreezes-2-billio...> New York Times, "Muammar el-Qaddafi," accessed on October 31, 2011 at http://topics.nytimes.com/top/reference/timestopics/people/q/muammar_el_... The Telegraph, "Libya: Netherlands gives £87 million of frozen assets to WHO, August 16, 2011, accessed at <http://www.telegraph.co.uk/news/worldnews/africaandindianocean/libya/870...>