

Ananias Tumukunde

Case ID:

ARW-15

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Uganda

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

Science and Technology Advisor to President (inclusive 2008)

Jurisdiction of Asset Recovery:

United Kingdom

Jurisdiction of Asset Recovery ? Description:

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

Asset Recovery Start:

2008

Asset Recovery End:

2012

UNCAC Offenses Implicated:

Art.16

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Criminal Prosecution, Criminal Restitution

Intl.Cooperation: MLAT/Letter of Request?:

NA

Basis for Intl Cooperation:

NA

Contributing Factors in Asset Recovery:

First conviction in overseas corporate corruption case by the City of London Police Overseas Anti-Corruption Unit since its establishment in June 2006.

Status of Asset Recovery :

Completed

Stage in Asset Recovery Chain:

Assets Returned to Victim or Requesting Jurisdiction

Agreement for Returned Assets:

Unknown

Agreement for Returned Assets - Description:

Unknown

Case Summary:

According to the Norton Rose law firm Case Study cited in the July 13, 2011 United Kingdom's UNCAC Self-Assessment Report, Mr. Tumukunde made contact with Niels Tobiasen, the Managing Director of CBRN Team Ltd., a security specialist, regarding the procurement of training and security equipment for the Ugandan army in the run-up to the Commonwealth Heads of Government Meeting, held in Kampala in 2007. CBRN Team Ltd. signed a contract with Mr. Tumukunde worth GBP 210,000 for the equipment, but Tobiasen reportedly agreed and made five 'local payments' totalling around GBP 83,000 to Tumukunde

and a Ugandan army officer, Rusoke Tagaswire, between 2007 and 2008. The purported agency payments in fact were inducements that went directly into two bank accounts opened by Tumukunde and Tagaswire in the UK. The London Police received information of Tumukunde's plans to travel to the UK and Tumukunde was arrested by Scotland Yard at Heathrow Airport. (Tobiasen later pleaded guilty to making corrupt payments to Tobiasen. Source: City of London Police Statement, "Guilty plea to bribery sets legal landmark," July 27, 2010.) On September 22, 2008, Tumukunde pleaded guilty, before His Honour Judge Wadsworth in the Southwark Crown Court to accepting corrupt payments and was sentenced to 12 months' imprisonment; he also signed a disclaimer releasing the GBP 52,800 [US \$96,681.60] from his bank account into the custody of the City of London Police for restitution. (Source: Norton Rose (law firm), "Case Study: CBRN Team Ltd (non-FCPA).") Written evidence presented by the UK's Department for International Development (DFID) to the Parliament's International Development Committee stated that GBP35,000 has been returned in the case involving Mr. Tumukunde. (Source: UK Parliament, International Development Committee, "Supplementary written evidence submitted by The Department for International Development (DFID)," June 2012.)

Disposition of Criminal Case(s):

According to the United Kingdom's UNCAC Self-Assessment Report of July 13, 2011, Mr. Tumukunde pleaded guilty and was sentenced on 22 September 2008 by the Southwark Crown Court to 12 months imprisonment for receiving corrupt payments in relation to a contract with a British company (CBRN Team Ltd) for training and equipment for the Ugandan Army. The UK Report noted that "(Although charges under the Public Bodies Corrupt Practices Act 1889 could have been used, it was decided to prosecute for money laundering offences)." (Source: UK Self-Assessment Report, at 24.)

Jurisdiction of Origin: Investigative Agency:

NA

Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):

NA

Jurisdiction of Origin: Courts Involved:

NA

Jurisdiction of Asset Recovery: Investigative Agency:

City of London Police, Overseas Anti-Corruption Unit

Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):

Crown Prosecution Service

Jurisdiction of Asset Recovery: Courts Involved:

Southwark Crown Court

Documents:

UK-self-assess-un-convention-Jul-2011.pdf

Tumukunde_Norton_Rose_Case_Study.pdf

Tumukunde_City_of_London_Police_Press_Statement_Tobiasen_Plea.pdf

Tumukunde_Jailed_Guardian_Sept_23_2008.pdf

Documents Links:

http://www1.worldbank.org/finance/star_site/documents/arw/UK-self-assess...

http://www1.worldbank.org/finance/star_site/documents/arw/Tumukunde_Nort...

http://www1.worldbank.org/finance/star_site/documents/arw/Tumukunde_City...

http://www1.worldbank.org/finance/star_site/documents/arw/Tumukunde_Jail...

Other Sources:

UK Parliament, International Development Committee, "Supplementary written evidence submitted by The Department for International Development (DFID)," June 2012, accessed at [http://www.publications.parliament.uk/pa/cm201213/cmselect/cmintdev/130/...](http://www.publications.parliament.uk/pa/cm201213/cmselect/cmintdev/130/) United Nations Office on Drugs and Crime, "United Nations Convention against Corruption, United Kingdom Self-Assessment for United Nations Convention against Corruption - Chapters III and IV," July 13, 2011, accessed at http://www.unodc.org/documents/treaties/UNCAC/SA-Report/UK_UNCAC_4.11.20...

Norton Rose (law firm), "Case Study: CBRN Team Ltd (non-FCPA)," accessed at [http://www.nortonrose.com/expertise/business-ethics-and-anti-corruption/...](http://www.nortonrose.com/expertise/business-ethics-and-anti-corruption/)

City of London Police Statement, "Guilty plea to bribery sets legal landmark," July 27, 2010, accessed at <http://www.cityoflondon.police.uk/CityPolice/Departments/ECD/anticorrupt...>

See also Paul Lewis and Rob Evans, "Ugandan is jailed in UK bribery crackdown," The Guardian, September 23, 2008, accessed at <http://www.guardian.co.uk/uk/2008/sep/23/ukcrime.law/print>