

## Alfonso Portillo (Switzerland)

**Case ID:**

ARW-6

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

Guatemala

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

President (2000-2004)

**Jurisdiction of Asset Recovery:**

Switzerland

**Jurisdiction of Asset Recovery ? Description:**

Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2012

**Asset Recovery End:**

Unknown

**UNCAC Offenses Implicated:**

Art.16

Art.23

**Money laundering Implicated:**

Yes

**Legal Basis for Asset Recovery:**

Unknown

**Intl.Cooperation: MLAT/Letter of Request?:**

Unknown

**Basis for Intl Cooperation:**

Unknown

**Contributing Factors in Asset Recovery:**

Ongoing Case

**Status of Asset Recovery :**

Unknown

**Stage in Asset Recovery Chain:**

Unknown

**Agreement for Returned Assets:**

Ongoing

**Agreement for Returned Assets - Description:**

NA

**Case Summary:**

As part of his plea agreement, Mr. Portillo admitted that while serving as President of Guatemala, he had received US\$2.5 million from the government of China, Taiwan purportedly for the "Libraries for Peace" project but was in exchange for Guatemala's continued recognition of China, Taiwan's sovereignty. (Source: US v. Portillo, Case No. 1:09-cr-01142-RPP (S.D.N.Y.), Judgment in a criminal case filed June 11, 2014 and US Government Sentencing Memorandum filed May 12, 2014.) The 2009 Indictment filed against Mr. Portillo by the U.S. Attorney's Office for the Southern District of New York had alleged that Mr. Portillo laundered the funds through bank accounts located in a number of jurisdictions,

including Switzerland. Two wire transfers were made in August 2004 (for \$337,976.16 and 1,234,439.81 Euros) from accounts in France to accounts at Banco Audi Suisse S.A. in Switzerland held in the names of Mr. Portillo's former wife and daughter; in June 2005, a trust was established in Liechtenstein (the beneficiaries of which were Mr. Portillo's former wife and daughter) into which all the money maintained at the Banco Audi Suisse S.A. was transferred and thereafter, held in the name of the trust and two disbursements were made by the trust, in the sum of \$8,000 to his daughter and \$10,000 to his former wife in July 2006 and in September 2006, respectively, from the Banco Audi Suisse S.A. account. (Source: U.S. v. Portillo, Case No. 1:09-cr-01142-RPP (S.D.N.Y.), Indictment filed on December 1, 2009 and unsealed on January 25, 2010; Court Docket Report as of March 19, 2014.) As part of his judgment in the US criminal case, Mr. Portillo consented to and was sentenced to forfeit US\$2.5 million to the U.S. representing criminal proceeds. (Source: US v. Portillo, Case No. 1:09-cr-01142-RPP (S.D.N.Y.), Judgment in a criminal case filed June 11, 2014.)

**Disposition of Criminal Case(s):**

According to the US court records, Mr. Portillo pleaded guilty to one count of conspiracy to commit money laundering in the United States District Court for the Southern District of New York; in June 2014, he was sentenced to 70 months' imprisonment. (Source: US v. Portillo, Case No. 1:09-cr-01142-RPP (S.D.N.Y.), Judgment in a Criminal Case, filed June 11, 2014)

**Jurisdiction of Origin: Investigative Agency:**

Comision Internacional Contra la Impunidad en Guatemala (International Commission Against Impunity in Guatemala)

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

Comision Internacional Contra la Impunidad en Guatemala (International Commission Against Impunity in Guatemala), Special Prosecutor's Office

**Jurisdiction of Origin: Courts Involved:**

Tribunal Undecimo de Sentencia Penal (Eleventh Court of Criminal Judgment)

**Jurisdiction of Asset Recovery: Investigative Agency:**

Unknown

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

Unknown






**Jurisdiction of Asset Recovery: Courts Involved:**

Unknown

**Documents:**

Portillo\_SDNY\_Indictment\_Dec\_2009.pdf

**Documents:**

<b>Attachment</b>	<b>Size</b>
 Portillo_SDNY_Dkt_Rept_as_of_Mar_19_2014.pdf	335.73 KB
 Portillo_US_SDNY_Consent_Forfeiture_Order_May_22_2014.pdf	173.73 KB
 Portillo_US_SDNY_Judgment_June_11_2014.pdf	230.73 KB
 Portillo_US_SDNY_Sentencing_PR_May_2014.pdf	149.08 KB
 Portillo_US_SDNY_Indictment.pdf	330.09 KB

**Other Sources:**

U.S. v. Portillo, Case No. 1:09-cr-01142-RPP (S.D.N.Y.), Indictment filed on December 1, 2009, unsealed on January 25, 2010; US Government Sentencing Memorandum filed May 12, 2014; Judgment in a Criminal Case filed June 11, 2014.