

Ao Man Long (United Kingdom)

Case ID:

ARW-35

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

Secretary of Transport and Public Works (1999-2006)

Jurisdiction of Asset Recovery:

United Kingdom

Jurisdiction of Asset Recovery ? Description:

Location of Recovery Effort, Asset Location / Alleged Asset Location

Asset Recovery Start:

2008

Asset Recovery End:

2015

UNCAC Offenses Implicated:

Art.16

Art.18

Art.19

Art.20

Art.23

Money laundering Implicated:

Yes

Legal Basis for Asset Recovery:

Actions Initiated by Foreign Jurisdiction

Intl.Cooperation: MLAT/Letter of Request?:

MLAT

Basis for Intl Cooperation:

Mutual Legal Assistance Treaty between Hong Kong SAR, China and the United Kingdom;
United Nations Convention against Corruption

Contributing Factors in Asset Recovery:

According to Daniel Li, Deputy Commissioner of the Hong Kong Independent Commission Against Corruption (ICAC), "This is one of the successful cases of cooperation between ICAC and other jurisdictions when asset recovery was involved. All assets have been or are currently destined to be returned to Macao. We could have taken the attitude that it is not our concern and simply carried out the minimal requirements of informing the Macao authorities and then sitting back and giving a minimal response, especially as this specific law germane to asset confiscation was not as such available between the two jurisdictions. However we took up this challenge seriously; officers from Hong Kong and Macao worked tirelessly and enthusiastically, and, as a result, AO and his corrupt associates were deprived of vast profits from his criminal enterprise." (Source: Daniel M C Li, Deputy Commissioner and Head of Operations, Independent Commission Against Corruption, Hong Kong Special Administrative Region, "Asset Recovery: Is Law Enforcement doing enough?, " The 4th IAACA Seminar, Dalian, People's Republic of China, 25 ? 28 June 2012.)

Status of Asset Recovery :

Completed

Stage in Asset Recovery Chain:

Assets Returned to Victim or Requesting Jurisdiction

Agreement for Returned Assets:

No

Case Summary:

In November 2015, the Office of the Secretary for Administration and Justice of Macao SAR, China issued a statement announcing the return from UK of USD44,245,300 in corruption assets in Mr. Ao's case. According to the statement, Ms. Chan Hoi Fan, Secretary for Administration and Justice of the Macao Special Administrative Region, "indicated that the UNCAC, as an international anti-corruption instrument, has established a very important legal system for fighting corruption at international level. The mechanisms for recovery of property and return of assets, in particular, provided the legal basis on which we are able to establish close cooperation with and to recover the illicit assets from the British Government. In 2010, with the strong support and assistance from the Central Government, the Macao SAR Government conveyed the request to the British Government via diplomatic channels for returning the corruption proceeds in Ao's case." (Source: Office of the Secretary for Administration and Justice of Macao SAR, China, "Most of the Illicit Assets Abroad in the Case of Ao Man Long Successfully Recovered," November 3, 2015.)

In April 2007, the Commission Against Corruption in Macao SAR, China had reported on its location and seizure of more than 790 million patacas (USD\$95 million) in Mr. Ao's accumulated assets, and stated that "Until December 2006...the cash and bonds in Britain and other countries were equivalent to 275 million patacas." (Source: Commission Against Corruption in Macao SAR, "What's New - Detected Cases," April 7, 2007.) In June 2012, the Deputy Head of Hong Kong SAR, China's Independent Commission Against Corruption stated in a presentation that with regard to Mr. Ao's case, "During the course of the asset tracing exercise we discovered that substantial funds had been sent to the United Kingdom and used to purchase a property. This disclosed an offence of money laundering in Hong Kong and therefore we invoked Mutual Legal Assistance between Hong Kong and the UK as a means of freezing any potential sale of this property. Eventually the property was sold under a court order and the funds are now banked in the UK awaiting repatriation to Macao." (Source: Daniel M C Li, Deputy Commissioner and Head of Operations, Independent Commission Against Corruption, Hong Kong Special Administrative Region, "Asset Recovery: Is Law Enforcement doing enough?, " The 4th IAACA Seminar, Dalian, People's Republic of China, 25 - 28 June 2012.)

Disposition of Criminal Case(s):

According to statements by the Commission Against Corruption in Macao SAR, Mr. Ao was tried and convicted by the Macao Court of Final Appeal in two separate trials that ended in January 2008 and April 2009, respectively. (Sources: Commission Against Corruption in Macao SAR, "What's New - Detected Cases," June 4, 2008 and "What's New - Detected Cases," April 22, 2009.)

Jurisdiction of Origin: Investigative Agency:

Commission Against Corruption of Macao SAR, China

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

Macao Public Prosecutions Office

Jurisdiction of Origin: Courts Involved:

Court of First Instance

Jurisdiction of Asset Recovery: Investigative Agency:

Unspecified

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

Unspecified

Jurisdiction of Asset Recovery: Courts Involved:

Unspecified

Documents:




Ao_Assets_Macau_Daily_Times_Nov_29_2007.pdf

Ao_Macao_Anti-Corruption_Commission_Feb_5_2009.pdf

Ao_Macao_Anti-Corruption_Commission_Detected_Case_Apr_4_2007.pdf

Ao_Macau_News_Second_Trial_Feb_13_2009.pdf

Documents:

Attachment	Size
 Ao_HK_Explain_Assets_Macau_Daily_Nov_29_2007.pdf	243.56 KB
 Ao-UK_Speech_Daniel Li_IAACA_June_2012.pdf	7.98 MB
 Ao Man Long_UK_Asset Return_Govt_Statement_Nov3 2015.pdf	1.13 MB

Other Sources:

Government Information Bureau of Macao SAR, "Most of the Illicit Assets Abroad in the Case of Ao Man Long Successfully Recovered," November 3, 2015, at <http://www.gcs.gov.mo/showNews.php?PageLang=E&DataUcn=93976>;

Statements by Commission Against Corruption in Macao SAR, particularly statement of April 4, 2007 which stated that of the over 790 million patacas in assets located, "Until December 2006...the cash and bonds in Britain and other countries were equivalent to 275 million patacas," accessed at its official website at <http://www.ccac.org.mo/en/>; Daniel M C Li, Deputy Commissioner and Head of Operations, Independent Commission Against Corruption, Hong Kong Special Administrative Region, "Asset Recovery: Is Law Enforcement doing enough?," The 4th IAACA Seminar, Dalian, People's Republic of China, 25 - 28 June 2012, accessed at <http://www.iaaca.org/Documents/Presentation/TheFourthIAACASeminar/201207...> International Centre for Asset Recovery, Ao Man Long Case Study, UK Recovery, at <http://www.assetrecovery.org/kc/node/53b75da0-0d64-11de-a72f-27bb2e50913...> "Former Macau's secretary of transport and public works Ao Man Long to face second trial next week," Macau News, February 13, 2009, accessed at http://www.macaunews.com.mo/index.php?option=com_content&task=view&id=30... Poyi (Natalie) Cheung, "CCAC: Ao couldn't explain his 850 million pataca assets," Macau Daily Times, November 29, 2007, accessed at <http://poyileung.wordpress.com/2007/11/29/ccac-ao-couldnt-explain-his-85...>.