

## Augusto Pinochet

**Case ID:**

ARW-21

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

Chile

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

President (1973-1990); Commander-in-Chief of Chilean Army (1990-1998); "Senator for life" (1998 to 2006)

**Jurisdiction of Asset Recovery:**

United States

**Jurisdiction of Asset Recovery ? Description:**

Location of Recovery Effort, Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2000

**Asset Recovery End:**

2004

**UNCAC Offenses Implicated:**

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?:**

Unknown

**Basis for Intl Cooperation:**

NA

**Contributing Factors in Asset Recovery:**

According to the March 2005 report by the U.S. Senate Permanent Subcommittee on Investigations on U.S. accounts used by Mr. Pinochet and his family and associates to conceal their illicit proceeds, at the order of Chilean Judge Sergio Munoz, Pinochet lawyer Oscar Aitken Lavanchy transferred \$6.8 million from U.S. accounts (about \$5.5 million from G.L.P. accounts; about \$1.3 million from Trasker accounts) to a bank in Chile; on August 13, 2004, the bank deposited the funds into an account under control of the Santiago Court of Appeals. (Source: U.S. Senate Permanent Subcommittee on Investigations, Supplemental Staff Report on U.S. Accounts Used by Augusto Pinochet (March 16, 2005), at 56 and 62).

**Status of Asset Recovery :**

Completed

**Agreement for Returned Assets:**

No

**Agreement for Returned Assets - Description:**

NA

**Case Summary:**

According to the March 2005 report by the U.S. Senate Permanent Subcommittee on

Investigations on U.S. accounts used by Mr. Pinochet and his family and associates to conceal their illicit proceeds, at the order of Chilean Judge Sergio Munoz, Pinochet lawyer Oscar Aitken Lavanchy transferred \$6.8 million from U.S. accounts (about \$5.5 million from G.L.P. accounts; about \$1.3 million from Trasker accounts) to a bank in Chile; on August 13, 2004, the bank deposited the funds into an account under control of the Santiago Court of Appeals. (Source: U.S. Senate Permanent Subcommittee on Investigations, Supplemental Staff Report on U.S. Accounts Used by Augusto Pinochet (March 16, 2005), at 56 and 62).

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

A number of criminal proceedings had been instituted against Mr. Pinochet by the Chilean courts and by Spain's Fifth Central Magistrate of the National Court. (Source: Regina v. Bartle and the Commissioner of Police for the Metropolis and Others Ex Parte Pinochet (on appeal from a Divisional Court of the Queen's Bench Division), Opinions of the Lords of Appeal, November 25, 1998.)

**Jurisdiction of Origin: Investigative Agency:**

Unknown

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

Abogado Procuradora Fiscal, Santiago

**Jurisdiction of Origin: Courts Involved:**

Court of Appeals, Santiago

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

U.S. Senate Permanent Subcommittee on Investigations

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

NA

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

NA

**Documents:**

Pinochet\_UK\_R\_v\_Bartle\_Ex\_Parte\_Pinochet\_Extradition.pdf

Pinochet\_US\_Senate\_Investigations\_Mar\_16\_2005.pdf

**Documents Links:**

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Pinochet\\_UK\\_R\\_...](http://www1.worldbank.org/finance/star_site/documents/arw/Pinochet_UK_R_...)

[http://www1.worldbank.org/finance/star\\_site/documents/arw/Pinochet\\_US\\_Se...](http://www1.worldbank.org/finance/star_site/documents/arw/Pinochet_US_Se...)

**Other Sources:**

United States Senate Permanent Subcommittee on Investigations, Money Laundering and Foreign Corruption: Enforcement and Effectiveness of the Patriot Act, Supplemental Staff Report on the U.S. Accounts Used by Augusto Pinochet (March 16, 2005), accessed at <http://levin.senate.gov/newsroom/supporting/2005/pinochetreport.pdf>;

Regina v. Bartle and the Commissioner of Police for the Metropolis and Others Ex Parte Pinochet (on appeal from a Divisional Court of the Queen's Bench Division), Opinions of the Lords of Appeal, November 25, 1998, accessed at <http://www.publications.parliament.uk/pa/ld199899/ldjudgmt/jd981125/pino....>