

Juthamas Siriwan (Thailand)

Case ID:

ARW-97

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Thailand

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

Governor of Tourism (2002-2006)

Jurisdiction of Asset Recovery:

Thailand

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort

Asset Recovery Start:

2009

Asset Recovery End:

Ongoing

UNCAC Offenses Implicated:

Art.16

Art.19

Art.20

Art.23

Money laundering Implicated:

Yes

Legal Basis for Asset Recovery:

Criminal Prosecution

Intl.Cooperation: MLAT/Letter of Request?:

No

Basis for Intl Cooperation:

N/A

Contributing Factors in Asset Recovery:

Ongoing Case

Status of Asset Recovery :

Ongoing

Stage in Asset Recovery Chain:

Before Court of First Instance

Agreement for Returned Assets:

Ongoing

Agreement for Returned Assets - Description:

N/A

Case Summary:

As of May 22, 2016, the US criminal case was ongoing. (U.S. v. Siriwan, et al., Case No. 2:09-CR-00081 (C.D. Cal.), Court Docket Report as of May 22, 2016.)

The March 2014 letter by Thailand's Office of National Anti-Corruption Commission and December 14, 2012 letter (please see "Disposition of Criminal Case") by the Thai Ministry of Foreign Affairs follow a March 2010 letter by Thailand's Office of the National Anti-Corruption Commission to the California court in the case of Gerald and Patricia Green (the convicted

bribe givers) had stated that Thailand had initiated investigations into the alleged corrupt conduct of the former tourism government and other Thai nationals in the case. (Sources: US v. Siriwan, Case No. 2:09-cr-81 (C.D. Cal), Status Report and Exhibit A filed March 10, 2014; U.S. v. Green, Case No. 2:08-cr-00059-GW (C.D. Cal.), Government's Supplemental Sentencing Memorandum for Defendants Gerald Green and Patricia Green and Exhibit E (Letter by the National Anti-Corruption Commission of Thailand regarding their investigation of the Juthamas Siriwan bribery case), both filed on March 12, 2010.)

Disposition of Criminal Case(s):

According to the Joint Status Report and Indictment filed by Thai Special Prosecutor (Exh A in Thai and Exh B in English translation), Ms. Siriwan has been charged with violations of Thai laws pertaining to conduct of Thai officials and the Criminal Code pertaining to acceptance of bribery. The US criminal case against Ms. Siriwan is ongoing as of May 22, 2016. (Source: US v. Siriwan, Case No. 2:09-cr-81 (C.D. Cal), Joint Status Report of the Parties filed on October 13, 2015 and Exhibits A and B; Court Docket Report as of May 22, 2016.)

Jurisdiction of Origin: Investigative Agency:

National Anti-Corruption Commission of Thailand; Attorney General's Office

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

Special Prosecutor Office, Special Case Department 2

Jurisdiction of Origin: Courts Involved:

Criminal Court

Jurisdiction of Asset Recovery: Investigative Agency:

National Anti-Corruption Commission of Thailand

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

N/A

Jurisdiction of Asset Recovery: Courts Involved:

Criminal Court

Documents:

Siriwan_Thailand_NACC_Investig_Bangkok_Post_Aug_14_2010.pdf

Siriwan_Thailand_NACC_Letter_Filed_Mar_12_2010.pdf

Siriwan_Thailand_USG_Sentencing_Memo_Mar_12_2010.pdf

Documents:

Attachment	Size
 Siriwan_US_CDCA_USG_Supplemental_Resp_Jan_11_2013.pdf	110.99 KB
 Siriwan_US_CDCA_USG_Supp_Resp_Thai_Govt_Exhibit_A_Jan_11_2013.pdf	49.81 KB
 Siriwan_US_CDCA_Status_Rept_Mar_10_2014.pdf	27.78 KB

Documents Links:

Other Sources:

U.S. v. Siriwan, et al., Case No. 2:09-CR-00081 (C.D. Cal.), Indictment filed January 28, 2009; Joint Stipulation to Continue Hearing Date; and Order filed October 17, 2011; Government's Third Supplemental Brief in Opposition to Defendant's Motion to Dismiss and Exhibit A, filed January 11, 2013; Status Report by US and Exhibit A (Letter by Thailand's Office of the National Anti-Corruption Commission) filed March 10, 2014; Joint Status Report of the Parties and Exhibits A and B, filed October 13, 2015 and Court Docket Report as of May 22, 2016.)

U.S. v. Green, Case No. 2:08-cr-00059-GW (C.D. Cal.), Government's Supplemental Sentencing Memorandum for Defendants Gerald Green and Patricia Green and Exhibit E

(Letter by the National Anti-Corruption Commission of Thailand regarding their investigation of the Juthamas Siriwan bribery case), both filed on March 12, 2010.

See also Bangkok Post, "US wants Juthamas extradited," August 4, 2012, at <http://www.bangkokpost.com/news/local/305892/us-wants-juthamas-extradited>