

Juthamas Siriwan (United States)

Case ID:

ARW-99

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:

United States

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of 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 and Forfeiture

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

Cooperation in investigation but mechanism unknown

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:

NA

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.)

In January 2009, United States authorities filed a criminal indictment against Ms. Siriwan and her daughter on charges of money laundering and transporting funds to support unlawful activity. The indictment included criminal forfeiture allegations against bank accounts located

in Isle of Jersey (HSBC Bank International Limited, Acct #11108670 in amount of \$411,434.80; Singapore (Citibank Bank, Acct #0259766-001 in the amount of \$543,456.79 and Standard Chartered Bank, Acct #25-0-852573-6); United Kingdom (HSBC Bank PLC, Acct #22751518). The indictment also noted that under Section 152 of Thailand's Penal Code, it is unlawful for any government official, having the duty of managing or looking after any activity, to take the interest for the benefit of herself or another person concerning such activity. (Source: U.S. v. Siriwan, et al., Case No. 2:09-CR-00081 (C.D. Cal.), Indictment filed January 28, 2009.) Ms. Siriwan has filed a Motion to Dismiss the Indictment in January 2012. (Source: U.S. v. Siriwan, et al., Case No. 2:09-CR-00081 (C.D. Cal.), Court Docket Report, entry for January 30, 2012.) See also "Disposition of criminal case" for update on the case in Thailand.

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):

N/A

Jurisdiction of Origin: Courts Involved:

N/A

Jurisdiction of Asset Recovery: Investigative Agency:

Federal Bureau of Investigation

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

United States Attorney for the Central District of California, Criminal Division, Major Frauds Section; Department of Justice, Frauds Section



Jurisdiction of Asset Recovery: Courts Involved:



U.S. District Court for the Central District of California

Documents:

- Siriwan_UK_US_Indictment_Jan_28_2009.pdf
- Siriwan_US_Court_Docket_Report_May_3_2011.pdf
- Siriwan_CDCAL_Court_Docket_Report_Nov_2_2011
- Siriwan_CDCAL_Order_Hearing_Motion_to_Dismiss_Set_for_Nov_21_2011

Documents:

Attachment	Size
 Siriwan_US_Indictment_Jan_28_2009.pdf	9.31 MB
 Siriwan_US_CDCA_USG_Supplemental_Resp_Jan_11_2013.pdf	110.99 KB
 Siriwan_US_CDCA_USG_Supplemental_Resp_Thai_Govt_Exhibit_A_Jan_11_2013.pdf	49.81 KB
 Siriwan_US_CDCA_Siriwan_Response_Feb_01_2013.pdf	77.59 KB

Attachment	Size
 Siriwan_US_CDCA_Status_Rept_Mar_10_2014.pdf	27.78 KB
 Siriwan_CDCA_Joint_Stip_Exhibit_Nov_19_2014.pdf	70.12 KB

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.)

The indictment can also be downloaded at the U.S. Department of Justice website:
<http://www.justice.gov/criminal/fraudsiriwan.html./fcpa/cases/>.

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