Kuwaiti Investment Organization

Case ID: ARW-108
Jurisdiction of Origin of Public Official or Entity Allegedly Involved: Kuwait
Jurisdiction of Asset Recovery: Switzerland
Jurisdiction of Asset Recovery ? Description: Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location
Asset Recovery End: Unknown
UNCAC Offenses Implicated: Art.17 Art.23
Money laundering Implicated: Yes
Legal Basis for Asset Recovery: Criminal Prosecution and Forfeiture; Private Civil Action
Intl.Cooperation: MLAT/Letter of Request?: Unknown
Basis for Intl Cooperation: Unspecified
Contributing Factors in Asset Recovery:
"The following items were critical to the success of asset recovery in the Kuwaiti case. -The establishment of a dedicated and competent National Team was critical to the success of the initiative. - Political will was secured to ensure the success of asset recovery. - The elimination of pressures helped to achieve breakthrough successes for stolen assets recovery efforts. - Processes were initiated against individuals, rather than institutions, resulting in less resistance and fewer legal battles. - Private law actions, for several reasons, were a well-established route for asset recovery." (Source: Dr. Mohammad A.A. Al Moqatei, "Stolen Asset Recovery: A Case from Kuwait," in Stolen Asset Recovery: A Good Practices Guide for Non-Conviction Based Asset Forfeiture (Stolen Asset Recovery Initiative, 2009).
Status of Asset Recovery: Unknown
Stage in Asset Recovery Chain: Unknown [UK judgment noted criminal and civil proceedings in Switzerland]
Assets Adjudicated, Not Yet Returned - Description: Unknown
Assets Returned (USD) - Description: Please see United Kingdom entry for worldwide total assets returned amount
Agreement for Returned Assets: Unknown
Agreement for Returned Assets - Description:
Unspecified

Case Summary:

makes mention of criminal case in Switzerland. The court noted that the State of Kuwait
requested judicial cooperation in June 1997 to the Swiss Police. The court notes, on several
instances, that Swiss Investigating Magistrate Juge Tappolet obtained numerous bank
account documents in connection with his criminal investigation of the case. (Source: Grupo
and throughout).

Disposition of Criminal Case(s):
Unspecified

Jurisdiction of Origin: Investigative Agency:
National Team established by the Kuwaiti Investment Organization

Jurisdiction of Origin: Prosecuting Authority/Civil Attorney(s):
National Team established by the Kuwaiti Investment Organization; Kuwaiti Public Prosecutor

Jurisdiction of Asset Recovery: Investigative Agency:
National Team established by the Kuwaiti Investment Organization

Jurisdiction of Asset Recovery: Prosecuting Authority/Civil Attorney(s):
National Team established by the Kuwaiti Investment Organization

Documents:
KIO_Grupo_Torras_1999_EWHC_300_Comm.rtf
KIO_StAR_Case_Study_NCBF_Guide.pdf

Documents Links:
http://www1.worldbank.org/finance/star_site/documents/arw/KIO_Grupo_Torr...
http://www1.worldbank.org/finance/star_site/documents/arw/KIO_StAR_Case_...

Other Sources:

makes mention of criminal case in Switzerland. See also, Dr. Mohammad A.A. Al Moqatei,
Guide for Non-Conviction Based Asset Forfeiture (Stolen Asset Recovery Initiative, 2009),
accessed at http://www1.worldbank.org/publicsector/star_site/publications/non_convic....