

Mohamed Suharto

Case ID:

ARW-127

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Indonesia

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

President (1967-1998)

Jurisdiction of Asset Recovery:

Indonesia

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort

Asset Recovery Start:

1998

Asset Recovery End:

2010

UNCAC Offenses Implicated:

Art.17

Art.19

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Private Civil Action

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

Unspecified

Contributing Factors in Asset Recovery:

Civil suit

Status of Asset Recovery :

Ongoing

Stage in Asset Recovery Chain:

On Appeal

Agreement for Returned Assets:

Unknown

Agreement for Returned Assets - Description:

Unspecified

Case Summary:

The Government of Indonesia had brought a civil suit against the Suharto family, charging that they misused the Supersemar Foundations' funds. Instead of using the funds for its intended purpose of providing scholarships for poor children, the Soehartos were found to have funnelled foundation's funds to businesses and banks owned by associates of the former president. According to the Jakarta Post, the Supreme Court announced in a press conference on December 31, 2010 that the Supersemar suit had retrieved Rp. 2.8 trillion (US\$307,440,000) for the government. (Source: The Jakarta Post, "Supreme Court retrieves Rp 9.43t in 2010," December 31, 2010, accessed at <http://www.thejakartapost.com/news/2010/12/31/supreme-court-retrieves-rp...>

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Disposition of Criminal Case(s):

According to his January 28, 2008 obituary, Mr. Suharto "managed to escape criminal prosecution for embezzling millions of dollars, possibly billions, by having himself declared mentally incapable to stand trial." (Source: Marilyn Berger, "Suharto Dies at 86; Indonesian Dictator Brought Order and Bloodshed," New York Times, January 28, 2008.)

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

Attorney General

Jurisdiction of Origin: Courts Involved:

South Jakarta District Court; High Court; Supreme Court

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

Attorney General

Jurisdiction of Asset Recovery: Courts Involved:

South Jakarta District Court; High Court; Supreme Court

Documents:

Suharto_Obituary_NYTimes_Jan_28_2008.pdf
Suharto_Supersemar_Atty_Genl_Dec_25_2007.pdf
Suharto_Supersemar_Atty_Genl_Oct_16_2009.pdf
Suharto_Supersemar_SCt_Jakarta_Post_Dec_31_2010.pdf

Documents:

Attachment	Size
 Suharto_Supersemar_Fdn_Jakarta_Post_May_16_2013.pdf	137.89 KB

Documents Links:

Other Sources:

The Jakarta Post, "Supreme Court retrieves Rp 9.43t in 2010," December 31, 2010, accessed at <http://www.thejakartapost.com/news/2010/12/31/supreme-court-retrieves-rp...> Official Website of the Attorney General of the Republic of Indonesia, "Perkara Perdata Yayasan Supersemar" [Civil fraud case of Supersemar Foundation], October 16, 2009 and "Perkara Gugatan Perdata Pemerintah RITerhadap Mantan Presiden RI HM.Soeharto/ Yayasan Supersemar" [Government Civil Suit against former President Soeharto and Supersemar Foundation], December 25, 2007, accessed respectively at http://www.kejaksaan.go.id/unit_kejaksaan.php?idu=25&idsu=19&id=1487 and http://www.kejaksaan.go.id/unit_kejaksaan.php?idu=25&idsu=19&id=32. [Court decision numbers: The South Jakarta District Court (904/Pdt.G/2007/PN.Jak.Sel) and the Jakarta High Court (465/PDT/2008/PT.DKI)]; Marilyn Berger, "Suharto Dies at 86; Indonesian Dictator Brought Order and Bloodshed," New York Times, January 28, 2008, accessed at <http://www.nytimes.com/2008/01/28/world/asia/28suharto.html?scp=2&sq=suh...> Jakarta Post, "Soeharto's foundation told to pay damages," May 16, 2013, at <http://www.thejakartapost.com/news/2013/05/16/soeharto-s-foundation-told...>