

Moussa Traore

Case ID:

ARW-128

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Mali

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

President (1979-1991)

Jurisdiction of Asset Recovery:

Switzerland

Jurisdiction of Asset Recovery ? Description:

Undertaking Recovery Effort, Location of Recovery Effort, Asset Location / Alleged Asset Location

Asset Recovery Start:

1991

Asset Recovery End:

1997

UNCAC Offenses Implicated:

Art.20

Money laundering Implicated:

No

Legal Basis for Asset Recovery:

Unspecified

Intl.Cooperation: MLAT/Letter of Request?:

MLAT

Basis for Intl Cooperation:

Unspecified

Contributing Factors in Asset Recovery:

According to Anne Lugon-Moulin, Mali "asked Switzerland if it was willing to pay for the fees of a Swiss lawyer who could represent the interests of the Malian State. This request was accepted and funded by the [Swiss Agency for Development and Co-operation], which had been operating in Mali for many years.... It was the first time that Switzerland had repatriated assets to an African State, and was also an example of an innovative collaboration between the Federal Department of Justice and the Foreign Affairs Department." (Source: Anne Lugon-Moulin, "Asset recovery: concrete challenges for development assistance," in Mark Pieth, ed., Recovering Stolen Assets (Peter Lang, 2008)).

Status of Asset Recovery :

Completed

Stage in Asset Recovery Chain:

Assets Returned to Victim or Requesting Jurisdiction

Agreement for Returned Assets:

No

Agreement for Returned Assets - Description:

Switzerland noted that the Government of Mali spent the funds on rural development programs.

Case Summary:

According to the Swiss Ministry of Foreign Affairs, \$2.4 million in assets were returned to Mali. Switzerland also paid the fees of the Mali lawyer. (Source: Swiss Ministry of Foreign Affairs, September 30, 2009.) The 1991 Mutual Legal Assistance Treaty request by the Malian government had asked if Switzerland would be willing to pay for a Swiss lawyer who could represent the interests of the Malian State. The request was accepted and funded by the Swiss Agency for Development and Co-operation (SDC). The Konare government spent the money on rural development programs. (Source: Anne Lugon-Moulin, "Asset recovery: concrete challenges for development assistance," in Mark Pieth, ed., *Recovering Stolen Assets* (2008)).

Disposition of Criminal Case(s):

According to the BBC timeline of Mali's history, Mr. Traore was pardoned in 2002. (Source: BBC, Timeline: Mali, accessed at http://news.bbc.co.uk/2/hi/africa/country_profiles/1022844.stm, on May 10, 2011.)

Jurisdiction of Origin: Investigative Agency:

Unspecified

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

Unspecified

Jurisdiction of Origin: Courts Involved:

Unspecified

Jurisdiction of Asset Recovery: Investigative Agency:

Unspecified

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

Unspecified

Jurisdiction of Asset Recovery: Courts Involved:

Unspecified

Documents:

Traore_Pardon_BBC_Mali_Timeline.pdf

Documents Links:

http://www1.worldbank.org/finance/star_site/documents/arw/Traore_Pardon_...

Other Sources:

Swiss Ministry of Foreign Affairs, September 30, 2009;

Anne Lugon-Moulin, "Asset recovery: concrete challenges for development assistance," in Mark Pieth, ed., *Recovering Stolen Assets* (Peter Lang, 2008);

BBC, Timeline: Mali, accessed at

http://news.bbc.co.uk/2/hi/africa/country_profiles/1022844.stm, on May 10, 2011.