

Raul Salinas (Switzerland)

Case ID:

ARW-158

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Mexico

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

Brother of President Carlos Salinas (1988-1994)

Jurisdiction of Asset Recovery:

Switzerland

Jurisdiction of Asset Recovery ? Description:

Location of Recovery Effort, Asset Location / Alleged Asset Location

Asset Recovery Start:

1995

Asset Recovery End:

2008

UNCAC Offenses Implicated:

Art.15

Art.18

Art.23

Money laundering Implicated:

Yes

Legal Basis for Asset Recovery:

Actions Initiated by Foreign Jurisdiction

Intl.Cooperation: MLAT/Letter of Request?:

Unknown

Basis for Intl Cooperation:

Unspecified

Contributing Factors in Asset Recovery:

According to the Swiss Federal Office of Justice Press Release, "The Mexican authorities demonstrated, with the support of bank documents and other papers, how public funds amounting at the time to around USD 66 million had been misappropriated and moved to domestic banks. The Swiss authorities had already reconstructed the trail of the funds outside Mexico. On the basis of the Swiss and Mexican proceedings, the clearly criminal origin of these assets was thus demonstrated, thereby fulfilling the requirements for their early handover. The parties concerned have not opposed the handover of these assets, totalling USD 74 million (including interest), to Mexico." (Source: Swiss Federal Department of Justice and Police Press Release, "Salinas assets handed over to Mexico, Federal Examining Magistrate concludes 12-year proceedings," June 18, 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:

N/A

Case Summary:

On June 18, 2008, the Swiss Federal Department of Justice and Police announced that Switzerland would return \$74 million to Mexico in assets related to Mr. Salinas' case. According to the Swiss government press release, in 1995, Switzerland had initiated criminal proceedings for money laundering, and in 2002 turned over their investigative files to Mexico. As of 2002, some \$110 million were frozen in Switzerland. Some \$74 million (including accrued interest) were deemed to be of criminal origin and returned. The press release noted that "Other assets, which are not of criminal origin, have been unfrozen." The Federal Examining Magistrate has also ordered the CHF 2.2 million (\$2,110,010) be transferred to the federal treasury and CHF 1.1 million (\$1,055,000) to the treasury of the Canton of Geneva, both to cover costs of the Swiss authorities' "wide ranging activities since 1995." (Source: Swiss Federal Department of Justice and Police Press Release, "Salinas assets handed over to Mexico, Federal Examining Magistrate concludes 12-year proceedings," June 18, 2008.) On June 18, 2008, the Mexican Prosecutor General's office also announced the return of assets from Switzerland and indicated that the funds would be returned to the Mexican Treasury to be used for the benefit of the people of Mexico. (Source: Procuraduria General de la Republica, Sala de Prensa 501/08, "PGR Achieves the Repayment of more than 74 million dollars," June 18, 2008.)

Disposition of Criminal Case(s):

According to the New York Times, Mr. Salinas was convicted in January 1999 in Mexico of murder. (Source: Julia Preston, "Raul Salinas Guilty in Killing And Is Sentenced to Fifty Years," New York Times, January 22, 1999.) According to a December 16, 2014 media release by the Mexican Prosecutor General's Office, Mr. Salinas was acquitted of unjust enrichment by the Third Criminal Court of the Federal District. (Source: Procuraduria General de la Republica, Resumen de Medios Electronicos, December 16, 2014.)

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

Chief Public Prosecutor's Office

Jurisdiction of Asset Recovery: Investigative Agency:

Federal Examining Magistrate

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

Federal Office of Justice; [name of Mexico's civil attorney not known]

Jurisdiction of Asset Recovery: Courts Involved:

Federal Supreme Court



Documents:

Salinas_GAO_Testimony_1999.pdf

Salinas_Mexico_Murder_Conviction_NYT_Jan_22_1999.pdf

Salinas_Switzerland_Assets_Handover_Dept_Justice_PR_Jun_18_2008.pdf

Documents:

Attachment	Size
 Salinas_Mexico_PGR_resumenmat16dic2014.pdf	1.27 MB
 Salinas_Swiss_Return_Mexico_Procuraduría General de la República_PR_2007.pdf	152.95 KB

Documents Links:

Other Sources:

Swiss Federal Department of Justice and Police Press Release, "Salinas assets handed over to Mexico, Federal Examining Magistrate concludes 12-year proceedings," June 18, 2008, last

accessed on October 4, 2010 at

http://www.ejpd.admin.ch/ejpd/en/home/dokumentation/mi/2008/ref_2008-06-...

Procuraduria General de la Republica, Sala de Prensa 501/08, "PGR Achieves the Repayment of more than 74 million dollars," June 18, 2008, at

<http://www.pgr.gob.mx/prensa/2007/press08/Jun/pr50108.shtm>;

Procuraduria General de la Republica, Resumen de Medios Electronicos, December 16, 2014, at <http://www.pgr.gob.mx/prensa/sintesis/resumenmat16dic2014.pdf>;

Julia Preston, "Raul Salinas Guilty in Killing And Is Sentenced to Fifty Years," New York Times, January 22, 1999, accessed at <http://www.nytimes.com/1999/01/22/world/raul-salinas-guilty-in-killing-a...> "Private Banking: Raul Salinas, Citibank, and Alleged Money Laundering," Statement for the Record of Robert H. Hast, Acting Assistant Comptroller General for Investigations, Office of Special Investigations Testimony, Before the Permanent Subcommittee on Investigations, Committee on Governmental Affairs, U.S. Senate, November 9, 1999, accessed at <http://www.gao.gov/archive/2000/os00003t.pdf>.