

Sheikh Hamad Bin Jassim Bin Jaber Al Thani

Case ID:

ARW-171

Jurisdiction of Origin of Public Official or Entity Allegedly Involved:

Qatar

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

Emir (1972-1995)

Jurisdiction of Asset Recovery:

Jersey

Jurisdiction of Asset Recovery ? Description:

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

Asset Recovery Start:

1998

Asset Recovery End:

2002

UNCAC Offenses Implicated:

Art.16

Art.17

Art.23

Money laundering Implicated:

Yes

Legal Basis for Asset Recovery:

Other (Voluntary Payment)

Intl.Cooperation: MLAT/Letter of Request?:

No

Basis for Intl Cooperation:

N/A

Contributing Factors in Asset Recovery:

As noted in the Royal Court's December 2, 2002 decision in Between Jersey Evening Post and His Excellency Sheikh Hamad Bin Jassim Bin Japer Al-Thani and four additional respondents, a "press release issued on behalf of the Attorney General on 28th May 2002 with the agreement of the legal advisers of Sheikh Hamad. That press release indicated that a criminal investigation into the conduct of Sheikh Hamad was at an end and that the Sheikh had voluntarily paid GBP 6 million towards the costs of the investigation into the affairs of his three Jersey trusts." (Source: Royal Court (Samedi Division), Case No. 2002-227, at paragraph 7.)

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:

According to the May 28, 1999 decision by the Jersey Royal Court, following Mr. Hamad's ouster as Emir in 1995, Qatar instituted legal proceedings, alleging that Mr. Hamad transferred public funds to private accounts. The Royal Court wrote, "On November 9th, 1998 the Deputy Bailiff made an Order ex parte at the instance of the State of Qatar restraining the defendant, inter alia, from removing any of his assets from the jurisdiction save to the extent that those assets exceeded GBP 913m. The history of the matter, as it appears from the Order of Justice, is as follows. The defendant was Emir of Qatar from 1972 until 1995. On June 27th, 1995, he was removed from office. The Government of Qatar opened an enquiry into the defendant's use of public funds entrusted to him whilst he was Emir. It is alleged that substantial amounts of public funds had been transferred during his reign to accounts around the world in violation of Qatari law. A significant part of those funds is said to have come from overdrafts of the defendant in the accounts of the Emiri Diwan at the Qatar National Bank. In June 1996, the plaintiff commenced proceedings against, inter alia, the defendant and obtained a Mareva injunction against his assets with certain third parties in Jersey. Parallel proceedings were commenced against the defendant in a number of other jurisdictions. In October 1996, the action was settled upon terms which were amended by an addendum in February 1997. The plaintiff [Qatar] now claims that the defendant has failed to comply with the terms of the settlement. In November 1998, the plaintiff commenced attachment proceedings against the defendant in Switzerland as well as bringing proceedings before this court and elsewhere." The Royal Court dismissed Mr. Hamad's appeal against the order. (Source: State of Qatar v. Al Thani, [1999] JLR 118 (May 28, 1999)). As noted in the Royal Court's December 2, 2002 decision in Between Jersey Evening Post and His Excellency Sheikh Hamad Bin Jassim Bin Japer Al-Thani and four additional respondents, a "press release issued on behalf of the Attorney General on 28th May 2002 with the agreement of the legal advisers of Sheikh Hamad. That press release indicated that a criminal investigation into the conduct of Sheikh Hamad was at an end and that the Sheikh had voluntarily paid GBP 6 million towards the costs of the investigation into the affairs of his three Jersey trusts." (Royal Court (Samedi Division), Case No. 2002-227, at paragraph 7. See also, Anthony Lewis, "The Qatar Case," Jersey Evening Post, March 24, 2003; Jimmy Burns and Michael Peel, "SFO is 'actively' pursuing corruption allegations," Financial Times, February 8, 2007. The actual text of the Jersey Attorney General's May 28, 2002 press release could not be located.)

Disposition of Criminal Case(s):

As noted in the Isle of Jersey Royal Court's December 2, 2002 decision in Between Jersey Evening Post and His Excellency Sheikh Hamad Bin Jassim Bin Japer Al-Thani and others, a "press release issued on behalf of the Attorney General on 28th May 2002 with the agreement of the legal advisers of Sheikh Hamad. That press release indicated that a criminal investigation into the conduct of Sheikh Hamad was at an end." (Source: Between Jersey Evening Post and His Excellency Sheikh Hamad Bin Jassim Bin Japer Al-Thani, and four additional respondents, Royal Court (Samedi Division), Case No. 2002-227, at paragraph 7. The actual text of the Jersey Attorney General's May 28, 2002 press release could not be located.)

Jurisdiction of Asset Recovery: Investigative Agency:

Jersey Police

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

Attorney General

Jurisdiction of Asset Recovery: Courts Involved:

Royal Court

Documents:

Al-Thani_Jersey_1999_JLR_118.pdf



Jersey_Evening_Post_Qatar_Case.pdf .pdf

Sheikh_Hamad_Al_Thani_Jersey_Evening_Post_2002_%20JLR%20542.pdf

Sheikh_Hamad_Al_Thani_Qatar_Case_Jersey_Evening_Post_Mar_24_2003.pdf

Sheikh_Hamad_SFO_Investigation_Financial_Times_Feb_8_2007.pdf

Documents:

Attachment	Size
 Al-Thani_Jersey_1999_JLR_118.pdf	182.37 KB
 Sheikh_Hamad_SFO_Investigation_Financial_Times_Feb_8_2007.pdf	116.02 KB

Documents Links:

[http://www1.worldbank.org/finance/star_site/documents/arw/Jersey_Evening... .pdf](http://www1.worldbank.org/finance/star_site/documents/arw/Jersey_Evening...)

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

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

Other Sources:

State of Qatar v. Al Thani, [1999] JLR 118 (May 28, 1999), accessed at

<http://www.jerseylaw.je/Judgments/JerseyLawReports/Display.aspx?Cases/JL...>

Anthony Lewis, "The Qatar Case," Jersey Evening Post, March 24, 2003; Jimmy Burns and Michael Peel, "SFO is 'actively' pursuing corruption allegations," Financial Times, February 8, 2007, accessed at <http://www.ft.com/cms/s/0/a752039c-b718-11db-8bc2-0000779e2340.html#axzz...>

Jersey Evening Post, "The Qatar Case: Secrecy case, Sheikh backs down," and December 2, 2002 Judgment of the Royal Court (Samedi Division) by the Jersey Royal Court in Between Jersey Evening Post Limited (Representor) And His Excellency Sheikh Hamad Bin Jassim Bin Japer Al-Thani (and on behalf of the adult beneficiaries of the Y Trust, the H Trust and the Y No. 2 Trust) (First Respondent) And David Fisher Le Quesne, Advocate (on behalf of the minor and unborn beneficiaries of the said Trusts) (Second Respondent) And Standard Chartered Grindlays Trust Corporation (Jersey) Limited (Third Respondent) And The State of Qatar (Fourth Respondent) And Her Majesty's Attorney General (Fifth Respondent), accessed at <http://www.thisisjersey.co.uk/qatar/index.html>.