

## Sani Abacha / Ireland (Freezing Injunction on US Claim)

**Case ID:**

ARW-93

**Jurisdiction of Origin of Public Official or Entity Allegedly Involved:**

Nigeria

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

President (1993-1998)

**Jurisdiction of Asset Recovery:**

Ireland

**Jurisdiction of Asset Recovery ? Description:**

Asset Location / Alleged Asset Location

**Asset Recovery Start:**

2014

**Asset Recovery End:**

Ongoing

**UNCAC Offenses Implicated:**

Art.16

Art.17

Art.19

Art.20

Art.23

**Money laundering Implicated:**

Yes

**Intl.Cooperation: MLAT/Letter of Request?:**

Unknown

**Contributing Factors in Asset Recovery:**

Ongoing case

**Status of Asset Recovery :**

Ongoing

**Stage in Asset Recovery Chain:**

Investigation/Asset Tracing/Asset Restraint

**Agreement for Returned Assets:**

Ongoing

**Case Summary:**




In August 2014, the US Department of Justice announced that more than US\$480 million in Abacha corruption proceeds had been forfeited to the US: approximately US\$303 million in two bank accounts in Bailiwick of Jersey, \$144 million in 2 bank accounts in France [note: arrest in rem notes amount as US\$159,374,531.89], and at least US\$27 million in accounts in the UK and Ireland. Please note that the amount held in Ireland was not specified in the press release. The Department of Justice also noted that claims against US\$148 million in four investment portfolios in the UK are pending. (Sources: US Department of Justice, "U.S. Forfeits Over \$480 Million Stolen by Former Nigerian Dictator in Largest Forfeiture Ever Obtained Through a Kleptocracy Action," August 7, 2014; warrants for arrest in rem filed July 11, 2014 in US v. All Assets Held in Account Number 80020796, in name of Doraville Properties Corporation, at Deutsche Bank International, et al, Case No. 1:13-cv-01832-JDB

(D.D.C.) According to a Status Report filed by the US on August 18, 2014, the Government has until September 26, 2014 to respond to the claimants' (members of the Abacha family and others') Motion to Dismiss. (US v. All Assets Held in Account Number 80020796, in name of Doraville Properties Corporation, at Deutsche Bank International, et al, Case No. I:13-cv-01832-JDB (D.D.C.), Status Report filed August 18, 2014.) According to the Department of Justice, the restraint of funds includes approximately \$313 million in the name of Mohammed Sani and Doraville Properties Corporation in two bank accounts in the Bailiwick of Jersey and \$145 million in the name of Rayville International SA and Standard Alliance Financial Services Limited in two bank accounts in France. In addition, four investment portfolios (all assets held in name of Blue Holding traceable to Ridley Group limited) and three bank accounts in the name of Mecosta Securities and Mohammed Sani in the United Kingdom with an expected value of at least \$100 million have also been restrained [ ] [and] also seeks to forfeit five corporate entities registered in the British Virgin Islands (Doraville Properties Corporation, Mecosta Securities Inc., Rayville International SA, Ridley group Limited, Standard Alliance Financial Services Limited). (Source: US v. All Assets Held in Account Number 80020796, in name of Doraville Properties Corporation, at Deutsche Bank International, Limited in Jersey, Channel Islands, et al, Case No. I:13-cv-01832-JDB (D.D.C.), Verified Complaint for Civil Asset Forfeiture).The complaint alleged that General Abacha, his son Mohammed Sani Abacha, their associate Abubakar Atiku Bagudu and others embezzled, misappropriated and extorted billions from the government of Nigeria and the Central Bank of Nigeria on the false pretense that the funds were necessary for national security, then laundered their criminal proceeds through the purchase of bonds backed by the United States using U.S. financial institutions. (Source: Department of Justice, Press release, "U.S. Freezes More Than \$458 Million Stolen by Former Nigerian Dictator in Largest Kleptocracy Forfeiture Action Ever Brought in the U.S.." March 5, 2014.)

#### **Disposition of Criminal Case(s):**

According to a 2008 article by Attorney Enrico Monfrini, an appeal was pending before the Nigerian Supreme Court in the criminal cases arising from charges filed in 2000 and 2001 against Mr. Abacha's sons and associate. (Source: Enrico Monfrini, "The Abacha Case," in Mark Pieth, ed., Recovering Stolen Assets (Peter Lang, 2008), accessed at [http://www.mcswisslaw.com/pages\\_e/2008%20Monfrini%20-%20The%20Abacha%20C....](http://www.mcswisslaw.com/pages_e/2008%20Monfrini%20-%20The%20Abacha%20C....)

#### **Documents:**

<b>Attachment</b>	<b>Size</b>
 Abacha_US_Forfeit_480_mil_DOJ_PR_Aug_7_2014.pdf	358.45 KB
 Abacha_US_DDC_Order_Default_Aug_6_2014.pdf	59.72 KB
 Abacha_US_Mtn_Default_Judgment_Aug_4_2014.pdf	150.32 KB

#### **Other Sources:**

US v. All Assets Held in Account Number 80020796, in name of Doraville Properties Corporation, at Deutsche Bank International, Limited in Jersey, Channel Islands, Case No. I:13-cv-01832-JDB (D.D.C.), Verified Complaint for Civil Asset Forfeiture, unsealed on March 5, 2014 and available at:

<http://www.justice.gov/iso/opa/resources/765201435135920471922.pdf>; US Department of Justice, Press releases, "U.S. Freezes More Than \$458 Million Stolen by Former Nigerian Dictator in Largest Kleptocracy Forfeiture Action Ever Brought in the U.S.," March 5, 2014, available at: <http://www.justice.gov/opa/pr/2014/March/14-crm-230.html> and "U.S. Forfeits Over \$480 Million Stolen by Former Nigerian Dictator in Largest Forfeiture Ever Obtained

Through a Kleptocracy Action," August 7, 2014, at  
<http://www.justice.gov/opa/pr/2014/August/14-crm-835.html>.