DAC Network on Governance

ANTI-CORRUPTION TASK TEAM MEETING

Room Document 4:
Short Session Report: Game Changers.
It's Never Too Late to Mend: The Benefits of Engaging in Recovering and Returning Stolen Assets.
IACC, Putrajaya Malaysia, September 2, 2015.
7-8 October 2015 - OECD Conference Centre, Room CC6

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The complete document is only available in PDF format.

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Short Session Report: Game Changers

Session Title: It's Never Too Late to Mend: The Benefits of Engaging in Recovering and Returning Stolen Assets
Date & Time: September 2, 2015 18:00 - 20:00
Report prepared by: Lena Diesing, Governance Advisor, OECD

Experts:
Youssef Belgacem, Project Coordinator, I Watch Tunisia
Cornel Calinescu, Head, Romania’s National Office for Crime Prevention and Cooperation with Assets Recovery Offices
Maita Chan-Gonzaga, Law Professor, Ateneo de Manila University
Daniel Claman, Principal Assistant Deputy Chief, International Unit, Asset Forfeiture and Money Laundering Section, U.S. Department of Justice
Ji Won Park, Stolen Asset Recovery Initiative (StAR)
Robert Steiniger, Staff Counsel - Public Prosecutor, German Federal Ministry Of Justice

Moderated by: Pedro Gomes Pereira, Senior Asset Recovery Specialist, Basel Institute On Governance
Session coordinated by:
Pedro Gomes Pereira, Senior Asset Recovery Specialist, Basel Institute On Governance
Fabian Klemme, Advisor, Giz
Lena Diesing, Governance Advisor, OECD
Main issues raised in kick off remarks. What’s the focus of the session?

Pedro Gomes Perreira made the introductory remarks. He explained the concept of asset recovery (to restrain, seize, confiscate, and return the proceeds of crime, also known as illicit financial flows.) Pedro stressed that successful asset recovery requires cooperation between different parties: different countries’ governments, different government agencies within the same country and other organisations, such as civil society organisations. This panel brought all of them together.

What initiatives have been showcased? Briefly describe the Game Changing strategies/ ideas (if applicable)

The panel highlighted different approaches to asset recovery from different perspectives. Perspectives included:
- an international organisation (StAR) providing assistance in asset recovery and tracking asset recovery commitments (OECD/StAR)
- three countries in different stages of their efforts related to asset recovery with experiences from different actors – civil society and government actors (Romania, Philippines, Tunisia)
- two countries often providing legal assistance / harbouring assets from abroad (Germany and the United States)

Briefly describe the highlights including the thematically interesting questions and ideas that were generated from the discussion or from the floor, and session quotes.

- Civil society’s participation is crucial for a successful asset recovery process.
- Cooperation – internationally and with different actors in the same country – is necessary for successful asset recovery.
- There is no one-size-fits-all approach to restitution of assets and what these assets should be used for, but also not for the asset recovery process.
- Asset recovery is about more than just the recovered money (it’s also about accountability, social cohesion, rule of law, etc.)
What are the key recommendations, follow-up Actions (200 words narrative form)

Countries should leverage the entire asset recovery process in the most sensible manner. To do so, it is vital to actively build connections and maintain cooperation. Actors outside the government agencies should be an important of this collaboration, be it CSOs, companies, or others. These organisations can a) maintain pressure on governments to engage in asset recovery, b) establish links that will be crucial to concluding the asset recovery process (to witnesses, evidence, etc.), c) facilitate a just process of asset restitution.

Key Insights that could be included in the IACC Declaration

- Success in asset recovery (and many other forms of anti-corruption activity) requires a culture of trust and cooperation – this culture must be nurtured carefully.

Rapporteur’s name and date submitted

Lena Diesing, 2 September 2015

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