



**Regional Seminar on Identifying, Restraining and Recovering
Stolen Assets in the OSCE Region
Vienna, 3 September, 2012**

Welcoming Remarks by
Ambassador Eoin O’Leary, Chairperson of the OSCE Permanent Council,
Permanent Representative of Ireland to the OSCE

Ladies and Gentlemen,
Distinguished Participants,

It is a great pleasure for me, on behalf of the Irish OSCE Chairmanship, to officially open this *Regional Seminar on Identifying, Restraining and Recovering Stolen Assets in the OSCE Region*. I would like to start by thanking the co-organizers of the event, the Office of the Co-ordinator of OSCE Economic and Environmental Activities, the UN Office against Drugs and Crime (UNODC) and the Stolen Asset Recovery (StAR) Initiative of the World Bank and the UNODC for their fruitful co-operation in preparing such a comprehensive agenda.

The sophistication and large variety of topics under discussion and the attendance of such renowned asset recovery experts and high-ranking officials from across our region and beyond makes this event a very important one indeed. I am confident that the seminar will be of benefit to your individual areas of work as well as contribute more broadly to progressing this important agenda.

In my capacity as representative of the Chairmanship I would like to underline the high political significance of this seminar. As you are all aware, corruption, asset theft and illicit flows of stolen and laundered money have very harmful effects on the economic, political and social development of countries. The occurrence of asset theft in political or governmental circles not only radically decreases the amount of public funds available, but also tends to negatively impact on budget revenues and discourage foreign direct investment. It undermines confidence in government, jeopardises political legitimacy and hinders further democratic development of countries. As such it is an insidious threat to our common security.

Therefore, there are plenty of good reasons to more effectively identify, restrain and recover stolen assets. However, despite an increasing number of measures and initiatives taken, there is unfortunately still a huge gap between estimates of assets stolen and those that are being actually repatriated. The StAR Initiative estimates that only 5 billion US dollars in stolen assets has been repatriated over the past 15 years, while 20 to 40 billion US dollars are estimated to have been stolen by corrupt officials from developing countries each year.¹

¹ http://www1.worldbank.org/finance/star_site/documents/EnglishBARFacts.pdf

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From the perspective of the Chairmanship, the organization of this seminar is very timely. Not only because of the large amount of assets stolen annually, but also in light of the current financial crisis and the global economic slowdown. Assets that are stolen disappear into the pockets of a few individuals or end up in offshore bank accounts and thus are not reinvested in national economic development nor are they used to create employment opportunities or provide vital education, healthcare and social services. Stolen 'public' assets that are lost, are lost not only to the tax payers that provided for them in the first place, but also lost to that society as a whole.

Ireland is therefore, during its Chairmanship of the OSCE, promoting the importance of good governance and is aiming the fight against corruption across the OSCE region. Of course the prevention of asset theft and 'asset recovery' as such, is by no means a new topic to most OSCE participating States. Over the past decade many countries in our region have come to recognise that preventing and detecting the theft of stolen assets and supporting attempts to recover them must be an integral part of broader efforts to improve governance and a key element in the fight against corruption and organised crime.

In Ireland, we have developed an effective approach to targeting the proceeds of crime through the work of our Criminal Assets Bureau. The Bureau came into existence following a particularly turbulent time in Irish criminal history - when criminal gangs came to the fore and those who orchestrated the activities of these gangs sought to remain beyond the reach of the State authorities. I would add that the remit of the Bureau's work includes not only targeting the proceeds of organised crime but also those ill-gotten assets acquired through corruption and other types of white-collar crime.

The Bureau has a multi-disciplinary structure and is supported by a legislative framework that includes both conviction based and non-conviction based provisions for the confiscation of proceeds of crime. While conviction based models are the norm in many states, the non-conviction based model, as deployed by the Criminal Assets Bureau in Ireland, is less known and Ireland is one of a small number of states who have adopted both types of legislation. I am delighted that Mr Shane Murphy, a Senior Counsel in the Irish legal system, with much experience of the legal matters surrounding the work of the Criminal Assets Bureau is a speaker at this seminar. Thank you for agreeing to participate and share your expertise – I'm sure your insights will be very valuable for other participants.

International asset recovery attempts are complicated by the fact that stolen assets are unlikely to remain in the country from which they were stolen and are often concealed in foreign jurisdictions. Hence, investigations to identify and recover assets involve multiple jurisdictions which often have disparate laws on areas such as: mutual legal assistance requests; standards of proof; criminalization; and freezing and confiscation of assets. To overcome these barriers, there is a need for *requesting* and *requested* states to standardize these inconsistent provisions. Likewise, there is a need to provide technical assistance to authorities involved in asset recovery in order to enhance their capacity in tracing, freezing, seizing, confiscating and returning proceeds of corruption.

Efforts by Ireland's Criminal Assets Bureau to identify, seize and recover stolen assets have been facilitated by strong cooperation with international partners. I also know a number of other participating States and Partners for Co-operation have successfully worked together to identify stolen assets and return them to the countries of origin. Even though countries have

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enjoyed some successes in asset recovery, the process remains complex, time-consuming and costly and the number of challenges that remain is daunting. Moreover, as the current situation shows, there is much room to further streamline and improve international co-operation. Collaboration between countries is key to addressing the problem of asset theft, which continues to be a substantial challenge for our region, and to a higher success rate in asset recovery.

It is these key challenges that we will attempt to tackle over the next two days. We will have the opportunity to hear from and interact with a number of distinguished experts. We will discuss and exchange experience on concrete asset recovery cases and issues related to legal instruments, asset tracing, and international and regional co-operation in support of asset recovery and return. In this regard, I encourage participants to engage actively in the forthcoming discussions and exchange their views and experiences on practical matters encountered in their daily work.

I hope that participants will also use this seminar as an opportunity to develop and deepen their professional contacts for further co-operation in recovering stolen assets. In our efforts to improve asset recovery, I would also encourage participants to leverage the political will of their countries to provide assistance in adopting and implementing legislation and best practices aimed at preventing the movement of stolen assets.

As already highlighted, Ireland has been promoting the importance of good governance, transparency and fighting corruption during our OSCE Chairmanship. We hope that when Ministers from the 56 OSCE participating States meet in Dublin in December, that they will renew and strengthen OSCE commitments on good governance and fighting corruption. We will be paying particular attention to the ideas and recommendations that emerge from the presentations and discussions over the coming days. And be assured that we will be giving full consideration as to how these might be taken onboard at the Ministerial Council in December.

On this point I will conclude and am pleased to pass the floor to Mr. Goran Svilanović, Co-ordinator of OSCE Economic and Environmental Activities.

Thank you.