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**The Organization for Security and Co-operation in Europe (OSCE)
in co-operation with
the United Nations Office on Drugs and Crime (UNODC) and the
Stolen Asset Recovery (StAR) Initiative
of the World Bank and the UNODC**

**With support from the 2012 Irish Chairmanship of the OSCE and
the Basel Institute on Governance**

SEMINAR

**Identifying, Restraining and Recovering
Stolen Assets in the OSCE Region**

3-5 September 2012
Ratsaal, Hofburg
Vienna, Austria

DRAFT AGENDA

Background: Large scale corruption, asset theft and international flows of stolen and laundered money can have a devastating impact on economies and political development. They reduce funds available for public spending, undermine confidence in public institutions, taint financial and banking systems, damage private sector trust in investment and business conditions and if long-lasting can lead to severe public outcry and conflict, undermining not only national stability but also affecting the stability of neighbouring countries and regions.

Although corrupt public officials and politically elected persons account for only a small portion of all officials, their behaviour can have a very damaging impact. As large scale corruption and asset looting are typically well hidden, it is difficult to assess the amount of public assets stolen or extorted by corrupt officials and politicians. Nonetheless, the Stolen Asset Recovery (StAR) Initiative of the World Bank and the United Nations Office on Drugs and Crime (UNODC) estimates that corrupt money received by public officials in developing and transition countries totals between \$20 bn to \$40 bn a year.

Asset recovery is a particularly important issue for many developing countries where high-level corruption has plundered the national wealth, and where resources are badly needed for reconstruction and the rehabilitation of societies under new governments. Recent events in North Africa and the Middle East have revealed once again that extensive public corruption has occurred, reminding countries of the urgency of building strong and sustained political commitment and technical co-operation in the anti-corruption field, including in and among the OSCE participating States and its Partners for Co-operation.

In a major breakthrough in 2003, the UN Member States agreed on the inclusion of a separate chapter (Chapter V) on asset recovery in the United Nations Convention against Corruption (UNCAC), thus recognizing asset-recovery as a fundamental principle of the Convention. On a practical level, there has also been a recognition that the technical expertise and working level international co-operation necessary to identify and return stolen assets to their country of origin can only be successful when grounded in solid legislation and high level political support.

In 2006, the United Nations set up an Open-ended Intergovernmental Working Group on Asset Recovery with the aim of assisting the UN Conference of the States Parties in developing cumulative knowledge on asset recovery, facilitating the exchange of experience and good practices in the field, and identifying capacity-building needs for the prevention and detection of stolen assets. The Working Group began to operate in 2007 and has intensified its work in preparation for the UNCAC review of implementation of Chapter V on Asset Recovery, which is set to begin in 2015.

To effectively address the issue of asset recovery, it is important to involve as many countries as possible in the dialogue and encourage the development of contacts and partnerships between and among different national authorities. One way of doing so is by developing regional networks. Such networks can strengthen regional co-operation, improve information sharing, and provide a platform for the exchange of operational experiences and best practices. Regional networks can also contribute to improved national cross-agency co-ordination. European and North American countries have set up a network called the *Camden Asset Recovery Inter-Agency Network (CARIN)*, while StAR and Interpol have established an *Asset Recovery Focal Points platform* as a secure contacts database of law enforcement officials to respond to emergency requests for assistance. These networks, however, do not comprehensively cover all of the CIS countries.

To raise awareness and enhance political will in the OSCE participating States to increase the effectiveness of efforts to detect, trace, seize, confiscate, recover and return stolen assets, the OSCE is organizing a seminar together with the United Nations Office on Drugs and Crime (UNODC) and the Stolen Asset Recovery (StAR) Initiative of the World Bank and UNODC. With additional support from the Irish Chairmanship of the OSCE and the Basel Institute on Governance, the seminar will take place on 3-5 September in Vienna at the Hofburg Congress Centre. The event will immediately follow the sixth meeting of the United Nations Open-ended Intergovernmental Working Group on

Asset Recovery on 30-31 August. It will allow practitioners from North American, European and CIS countries to exchange specific information and experiences on current initiatives (i.e. CARIN), capacity building programmes and practices of direct relevance and interest to them.

Format: The seminar will be organized with two days of expert level technical discussions on 3 and 4 September and a morning plenary on 5 September dedicated to political considerations for all OSCE Delegations and Partners for Co-operation.

Outcomes: At the technical level, it is expected that participants in the seminar will take away a *deeper technical understanding* of key issues in the field of asset recovery. The seminar aims to share *new knowledge of direct relevance to practitioners* who are working or may work to recover assets within their own jurisdiction or abroad. A secondary, yet key benefit of the seminar will be the opportunity to develop and deepen professional contacts.

At the political level, the seminar is also expected to produce a *set of practical and action oriented suggestions for follow-up action* for consideration by the countries as well as by the supporting organizations. A *Background paper* will outline the main areas for discussion and be circulated ahead of the seminar to all OSCE Delegations, Partners for Co-operation and registered participants. The seminar's final conclusions and suggestions will be presented at the closing session of the seminar.

Target group: Senior officials from public institutions dealing with anti-corruption and anti-money laundering issues (anti-corruption agencies, FIUs, central authorities, audit institutions, investigators/law enforcement, investigating magistrates, prosecutors and legislators) from all OSCE participating States and Partners for Co-operation; select private sector (financial institutions) representatives; and OSCE Delegations.

Sponsorships: On a case by case basis and upon request, a limited number of sponsorships are available for representatives from countries in transition. The final selection of sponsored participants will be based on the relevant expertise of the participants as well as a need to establish geographical balance.

Contact persons:

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Seminar on Identifying, Restraining and Recovering Stolen Assets in the OSCE Region

DRAFT AGENDA

EXPERT SEGMENT

Monday, 3 September 2012

09.30 – 10:00 Opening Session of the working meeting

Welcoming remarks:

- **Ambassador Eoin O’Leary**, Chairman of the OSCE Permanent Council, Permanent Representative of Ireland to the OSCE
- **Mr. Goran Svilanović**, Co-ordinator of OSCE Economic and Environmental Activities
- **Ms. Candice Welsch**, Chief, Corruption and Economic Crime Branch, Implementation Support Section, UNODC

10:00 – 10:30 Introductory Session: Overview and intended outcomes of the working sessions

Speaker:

Ms. Nina Lindroos-Kopolo, Senior Economic Officer, Head of Economic Governance Unit, OSCE/OCEEA

10:30 – 11:00 Coffee/Tea break

11:00 – 12:30 Working Session I: Successes and challenges in asset recovery

Moderator: Ms. Suzanne Hayden, Senior Academic Programme Specialist, International Anti-Corruption Academy (IACA)

Rapporteur: Mr. Murad Khusanov, National Project Officer, OSCE Project Co-ordinator Office in Uzbekistan

- Selected Asset Recovery cases involving OSCE requesting and requested States
- Barriers to Asset Recovery – challenges and solutions

Speakers:

Mr. Robert Wallner, Prosecutor General, Liechtenstein

Ms. Linda Samuel, Head of the Asset Forfeiture, International Unit of the Department of Justice, United States

Mr. Mohamed Askri, Advisor to the Ministry of Justice, Tunisia

Mr. Oliver Stolpe, Senior Advisor, Stolen Asset Recovery Initiative

12.30 – 14.00 Lunch break

14:00 – 15:30 **Working Session II: International and domestic legal instruments and processes available to support asset recovery efforts**

Moderator: Ms. Denise Mazzolani, Senior Co-ordinator, Rule of Law Department, OSCE Mission to Serbia

Rapporteur: Ms. Jelena Suvorova, Assistant, OSCE/OCEEA

- Legal and institutional mechanisms linking asset recovery with efforts to prevent corruption and money laundering
- The use of asset declarations in identifying Politically Exposed Persons (PEPs)
- Legal tools for domestic confiscation, including non-conviction based forfeiture laws

Speakers:

Mr. Dimosthenis Chrysikos, Crime Prevention and Criminal Justice Officer, Corruption and Economic Crime Branch, Division for Treaty Affairs, UNODC

Ms. Laura Pop, Consultant, Financial Market Integrity/Financial and Private Sector Vice Presidency, World Bank / Stolen Asset Recovery Initiative

Mr. Shane Murphy, Senior Counsel, Ireland

15:30 – 16:00 Coffee/Tea break

16.00 – 17.30 **Working Session III: Practices and lessons learned in asset recovery for requesting and requested states**

Moderator: Mr. Dimosthenis Chrysikos, Crime Prevention and Criminal Justice Officer, Corruption and Economic Crime Branch, Division for Treaty Affairs, UNODC

Rapporteur: Ms. Laura Pop, Consultant, World Bank/Stolen Asset Recovery Initiative

- Adopting a strategic approach and maintaining momentum, resources and domestic co-ordination in support of asset recovery efforts
- Financial institutions and measures to prevent and detect transfers of proceeds of crime, including due diligence and “know-your customer” policies
- National examples of the linkages between asset recovery, anti-corruption and anti-money laundering

Speakers:

Mr. Mohamed Askri, Advisor to the Ministry of Justice, Tunisia

Mr. Shane Riedel, Director, Compliance, Citi Group

Mr. Vlatko Božović, Head, FIU Department for Organised Crime, Serbia

Mr. Pedro Pereira, Asset Recovery and AML Specialist, ICAR, Basel Institute on Governance

18:00 **Reception hosted by the Co-ordinator of OSCE Economic and Environmental Activities**

Tuesday, 4 September 2012

09:00 – 10:30 Working Session IV: Asset tracing, freezing and seizure

Moderator: Mr. Frederic Raffray, Crown Advocate, Law Offices of the Crown, Guernsey

Rapporteur: Mr. Dimosthenis Chrysikos, Crime Prevention and Criminal Justice Officer, UNODC

- Obtaining banking information in financial centres, identifying beneficial owners and accessing property registries
- Determining the linkage – forensic audit and other methods aimed at determining the volume of losses and main avenues through which losses occurred
- Sending and enforcing international freezing and seizing orders

Speakers:

Mr. Jean-Bernard Schmid, Prosecutor, The Judiciary, Public Prosecution Service, Public and Canton of Geneva, Switzerland

Mr. Oleksiy Feshchenko, First Deputy Head of the State Financial Monitoring Service of Ukraine

Mr. Alberto Perduca, Deputy Head Prosecutor in Torino, Italy

10:30 – 11:00 Coffee/Tea break

11:00 – 12:30 Working Session V: Internal and external co-operation and private civil litigation for the purpose of asset recovery

Moderator: Mr. Pedro Pereira, Asset Recovery and AML Specialist, ICAR, Basel Institute on Governance

Rapporteur: Mr. Christian Larson, Programme Officer, OSCE/OCEEA

- International co-operation through dedicated FIUs, police networks and other agencies
- Mutual legal assistance requests – good practices, pitfalls and pre-MLA co-operation
- The need for co-ordinated action to confiscate and return stolen assets
- Private civil litigation

Speakers:

Mr. Boudewijn Verhelst, Chair, The Egmont Group of Financial Intelligence Units

Mr. Dimosthenis Chrysikos, Crime Prevention and Criminal Justice Officer, Corruption and Economic Crime Branch, Division for Treaty Affairs, UNODC

Mr. Ols Dado, Prosecutor, Joint Investigative Unit, Tirana District Prosecution Office, Albania

12:30 – 14:00 Lunch break

14:00 – 15.15 **Working Session VI: Regional co-operation on asset recovery via networks and focal point initiatives**

Moderator: Mr. Oliver Stolpe, Senior Advisor, Stolen Asset Recovery Initiative

Rapporteur: Mr. Roel Janssens, Economic Adviser, OSCE/OCEEA

- Asset recovery in the EU: the role of Europol and the Camden Asset Recovery Inter-Agency Network (CARIN)
- StAR/Interpol Asset Recovery Focal Point Network
- Possibilities for OSCE pS in the CIS region to join/form networks
- Asset recovery efforts and the role of designated central authorities/focal points in both the requesting and requested states

Speakers:

Mr. Burkhard Mühl, Senior Specialist, Europol Criminal Assets Bureau & CARIN Secretariat

Mr. Arnaud Tasciyan, Project Administrator, Anti-Corruption Sub-Directorate, Interpol

Ms. Galina Anisimova, Prosecutor, Department of the Direction of Legal Assistance of the Chief Directorate on international legal cooperation, Prosecutor General's Office, Russian Federation

Mr. Cornel Calinescu, Head of National Office for Prevention of Criminality and Asset Recovery Cooperation, Ministry of Justice, Romania

15:15 – 15:45 Coffee/Tea break

15:45 – 17:15 **Working Session VII: Knowledge materials, self assessments and gap analysis in preparation for the 2015 UNCAC review of implementation**

- Conducting self-assessments and utilizing the UNODC MLA Request Writer Tool
- Tools and organizational methods for conducting asset recovery gap analyses
- Country feedback on asset recovery priorities and needs

Speakers:

Mr. Vladimir Kozin, Crime Prevention and Criminal Justice Officer, DTA/CEB/CSS, UNODC

Mr. Pedro Pereira, Asset Recovery and AML Specialist, ICAR, Basel Institute on Governance

Discussion facilitator: Mr. Christian Larson, Programme Officer, OSCE/OCEEA

17:15 – 17:30 **Conclusion of expert segment**

Mr. Alexey Stukalo, Deputy Co-ordinator / Head, Economic Activities, OSCE/OCEEA

POLITICAL SEGMENT

Wednesday, 5 September 2012

09.30 – 10:15 Opening Plenary Session

Welcoming remarks and overview of asset recovery

- **Ambassador Eoin O’Leary**, Chairman of the OSCE Permanent Council, Permanent Representative of Ireland to the OSCE
- **Ambassador Lamberto Zannier**, OSCE Secretary General
- **Mr. Goran Svilanović**, Co-ordinator of OSCE Economic and Environmental Activities
- **Mr. John Sandage**, Director, Division for Treaty Affairs, UNODC

Keynote address: Ms. Heather Lowe, Legal Counsel and Director of Government Affairs, Global Financial Integrity, United States

Statements by delegations

10:15 – 11:00 Plenary Session I: Report on findings of the expert meetings

Moderator: Mr. Goran Svilanović, Co-ordinator of OSCE Economic and Environmental Activities

Chief Rapporteur: Mr. Drago Kos, International Commissioner, Joint Monitoring and Evaluation Committee in Afghanistan

- Current challenges
- Evolving practices
- Available tools and resources

Discussion

11:00 – 11:30 Coffee/Tea break

11:30 – 12:45 Plenary Session II: Ways forward for asset recovery in the OSCE region

Moderator: Mr. Viktor Vavricka, Head, Task Force Asset Recovery, Federal Department of Foreign Affairs, Switzerland

Rapporteur: Ms. Nina Lindroos-Kopolo, Senior Economic Officer, OSCE/OCEEA

- Ensuring sufficient political will and resources to support national and international asset recovery initiatives
- Facilitating the participation of OSCE participating States and Partners for Co-operation in asset recovery networks and focal point initiatives
- Building the capacity of states to identify and develop technical responses to asset recovery priorities and needs
- Identification of priority areas for future engagement

Speakers:

Mr. Egor Skobelev, Head, Sector for analytical and informational activities, Office of the Prime-Minister, Kyrgyz Republic

Ms. Galina Anisimova, Prosecutor, Department of the Direction of Legal Assistance of the Chief Directorate on International Legal Cooperation, Prosecutor General’s Office, Russian Federation

Mr. Oliver Stolpe, Senior Advisor, Stolen Asset Recovery Initiative

Concluding Debate

12:45 – 13:00 **Closing remarks**

- **Ms. Nina Lindroos-Kopolo**, Senior Economic Officer and Head of the Economic Governance Unit, OSCE/OCEEA
- **Ms. Candice Welsch**, Chief, Corruption and Economic Crime Branch, Implementation Support Section, UNODC