**StAR Asset Recovery Watch Database
Case Reporting Form**

Please use this form to report an – ongoing or completed – international effort to recover and return proceeds of corruption to the StAR Asset Recovery Watch database. We invite country authorities, as well as other partners, to submit information to help us build a more comprehensive dataset of cases and a better evidence base of international asset recovery efforts.

In the StAR Asset Recovery database, we collect information on **completed asset returns**, as well as **asset confiscations** (where a final confiscation order exists) and **asset freezes involving proceeds of corruption** (defined as proceeds derived from corruption offences in accordance with UNCAC Art. 15-25) **that involve a foreign jurisdiction**.

* All reported cases must involve **a foreign jurisdiction**, e.g. as the country of asset location, where proceeds of corruption were transferred to, or as the country of origin where the public official involved served or where the underlying corruption offense took place. Purely domestic asset recovery cases - without any international element - are not included in the scope of the StAR database.
* Please do **not** include any sensitive case information in your submission, e.g. internal case numbers, bank account numbers, or names of individuals that have not been included in the public record.
* Leave empty any fields that do not apply or where no information is available.

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| **Contact Information**Contact details will be treated confidentially and will only be used for the purpose of follow-up questions related to this submission. |
| **Contact name:** |  |
| **Position:** |  |
| **Government Agency:** |  |
| **Department:** |  |
| **Country:** |  |
| **Email:** |  |
| **Phone number:** |  |

|  |  |
| --- | --- |
| **Date of Submission:**  |  |

***By submitting this form to the Stolen Asset Recovery Initiative, I grant permission for the enclosed information to be included in the StAR Asset Recovery Watch database on StAR’s website.***

|  |  |  |
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| 2 | **Case title[[1]](#footnote-2)** |  |
| 19 | **Stage of Asset Recovery** | [ ]  Assets frozen/seized[[2]](#footnote-3)[ ]  Assets unfrozen/released[ ]  Assets confiscated[[3]](#footnote-4)[ ]  On appeal  | [ ]  Assets returned (in part)[ ]  Assets returned[ ]  Unknown[ ]  Other:  |
| 1 | **Is this a new case or an update to an existing case in the StAR database?** | [ ]  New case[ ]  Update to an existing case in the StAR database: ARW-\_\_\_\_\_\_\_\_ (provide case ID) |
|  | Geographic Reach |
| 4 | **Country of origin[[4]](#footnote-5)** |  |
| 6 | **Country of asset location[[5]](#footnote-6)** |  |
| 5 | **Country of bribe payer** (if applicable)[[6]](#footnote-7) |  |
| 6A | **Country that initiated legal action to recover proceeds of corruption** |  |
| 7 | **Transit country[[7]](#footnote-8)** |  |
| 8 | **Other jurisdictions involved** *(if different from above)* |  |
| 8A | **Which country were the assets returned to?** (if applicable) |  |
|  | Case Summary |
| 9 | **Case summary.** *Please provide a brief summary of the case. Include key information about elements relevant to the asset recovery efforts, such as where the investigation took place, where the legal action took place, and any outcome, if available.*  |  |
| 11 | **UNCAC Offences Implicated** | [ ]  *Article 15. Bribery of national public officials* [ ]  *Article 16. Bribery of foreign public officials and officials of public international organizations* [ ]  *Article 17. Embezzlement, misappropriation or other diversion of property by a public official* [ ]  *Article 18. Trading in influence* [ ]  *Article 19. Abuse of functions* [ ]  *Article 20. Illicit enrichment* | [ ]  *Article 21. Bribery in the private sector*[ ]  *Article 22. Embezzlement of property in the private sector* [ ]  *Article 23. Laundering of proceeds of crime* [ ]  *Article 24. Concealment*[ ]  *Article 25. Obstruction of justice* |
| 10 | **Disposition of Criminal Case(s).** *Please list criminal cases related to this asset recovery action, including the jurisdiction where they took place and any outcome (if concluded).* This information can also be included in the ‘Case Summary’ field above. |  |
|  | **Disposition of Civil Case(s).** *Please list civil cases related to this asset recovery action, including the courts that heard the case, plaintiff(s) and defendant(s) and any outcome (if concluded).* This information can also be included in the ‘Case Summary’ field above. | Civil causes of action:[ ] Tort[ ] Breach of fiduciary duty[ ] Unlawful means conspiracy[ ] Tortious interference[ ] Civil Fraud[ ] Other: \_\_\_\_\_\_\_\_\_\_\_[ ] Breach of contract[ ] Unjust enrichment[ ] Revindication[ ] Other: \_\_\_\_\_\_\_\_\_\_\_ |
| 14 | **Sectors/Industry involved**  | [ ]  *Agriculture/Forestry/Fisheries*[ ]  *Arts, Entertainment, Recreation*[ ]  *Education*[ ]  *Energy* [ ]  *Extractive Industries/Natural Resources*[ ]  *Finance/Capital Markets/Insurance*[ ]  *Health*[ ]  *Infrastructure/Transport/Urban Development*[ ]  *International development*[ ]  *Local government*[ ]  *Manufacturing* [ ]  *Military/Security*[ ]  *Motor Sport* | [ ]  *National government*[ ]  *Public Procurement*[ ]  *Retail*[ ]  *Science*[ ]  *Services/Consulting*[ ]  *Social Protection*[ ]  *Technology/Media*[ ]  *Telecommunications* [ ]  *Tourism*[ ]  *Trade/Customs*[ ]  *Water*[ ]  *Other: \_\_\_\_* |
| 12 | **Name & position of public official involved or allegedly involved[[8]](#footnote-9)** |  |
| 13 | **Type of public official involved or allegedly involved** | [ ]  *President/Prime Minister/head of state*[ ]  *Vice President/Vice Prime-Minister*[ ]  *Advisor/other high-level government official*[ ]  *Ministerial level* [ ]  *Legislative branch* [ ]  *Judiciary branch*[ ]  *Military Branch* [ ]  *Public official family member* | [ ]  *Tax administration*[ ]  *Customs*[ ]  *Law enforcement officials*[ ]  *State-owned enterprise*[ ]  *Political party officials*[ ]  *International organization official*[ ]  *Other: \_\_\_\_* |
| 15 | **Name(s) of professional intermediaries involved or allegedly involved[[9]](#footnote-10)** |  |
| 16 | **Type of professional intermediaries involved or allegedly involved** | [ ]  *Bank or financial institution*[ ]  *Real estate agent*[ ]  *Lawyer, notary, other legal professional*[ ]  *Trust and company service provider*[ ]  *Accountant* | [ ]  *Consulting firm*[ ]  *Investment fund*[ ]  *Casino* [ ]  *Art dealers/art advisers*[ ]  *Other: \_\_\_* |
|  | Asset Recovery Process |
| 18 | **Action initiating asset recovery** | [ ]  Investigation in the country of origin[ ]  Investigation in the country of asset location[ ]  Provision of intelligence by a foreign country[ ]  MLA request from the country of origin[ ]  MLA request from a third country[[10]](#footnote-11)[ ]  Enforcement of a foreign criminal confiscation order[ ]  FIU action to suspend a suspicious transaction[[11]](#footnote-12)[ ]  Independent action from a financial institution[[12]](#footnote-13)[ ]  In a different way. Please explain: | Year when this action was started |
| *e.g. 2021* |
| 19A | **Which authorities or agencies were involved in the asset recovery/return process?** |  |
| 20,21,21A | **Legal basis for asset recovery** *(specify in which country): \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_)* | [ ]  Conviction-based criminal prosecution and forfeiture [ ]  Court-ordered compensation, restitution, or damages awarded to a foreign jurisdiction[ ]  Non-conviction based confiscation (NCB)[ ]  Enforcement of foreign criminal confiscation order[ ]  Enforcement of foreign NCB confiscation order | [ ]  Administrative confiscation[ ]  Value judgment (equivalent-value based confiscation)[[13]](#footnote-14)[ ]  Private civil actions (incl. insolvency process)[ ]  Administrative freeze[ ]  Out-of-court Settlement Agreement[ ]  N/A (no legal process in my jurisdiction)[ ]  Other - please specify: |
| 22 | **What was the legal basis for international cooperation?** *(select all that apply)* | [ ]  UNCAC [ ]  Other multilateral treaties: \_\_\_\_\_\_[ ]  Bilateral Mutual Legal Assistance Treaty[ ]  Reciprocity | [ ]  Deferred Prosecution Agreement[ ]  N/A [ ]  Other: \_\_\_\_\_\_\_\_ |
| 22A | **Manner of Asset Transfer** | [ ]  Direct wire transfer to a centralized government account (e.g. general budget)[ ]  Direct wire transfer to a beneficiary government agency [ ]  Direct wire transfer to a separate, designated government account for the asset return[ ]  Escrow account | [ ]  Trust account[ ]  Physical transfer of a movable asset (e.g. car, yacht, artwork, aircraft)[ ]  Transfer of legal title[ ]  Share transfer[ ]  Wire transfer to a designated account held by a third party[[14]](#footnote-15), e.g. CSO, international organizationOther: \_\_\_\_\_\_\_\_ |
| 22B | **Which authority/agency were the assets returned to?** |  |
| 23 | **Were there any specific factors that helped make the asset return/confiscation possible?**  | [ ]  International investigation team[ ]  Unexplained Wealth Order[ ]  Illicit Enrichment Law[ ]  FIU’s power to suspend suspicious transactions[ ]  Other: \_\_\_\_\_\_\_\_ | [ ]  Plea bargain[ ]  Use of private civil action[ ]  Leaks[ ]  Abrogation of a corporate entity’s limited liability protections by a judge |
| 23 | **Were any asset recovery networks or partnerships used to help facilitate this return?**  | [ ]  ARIN-AP[ ]  ARIN-CARIB[ ]  ARIN-EA[ ]  ARINSA[ ]  ARIN-WA[ ]  ARIN-WCA[ ]  CARIN [ ]  RRAG | [ ]  Egmont Group[ ]  IACCC[ ]  EU’s AROs[ ]  StAR [ ]  ICAR[ ]  GFAR Action Series (StAR/ICAR/IACCC)[ ]  Other: |
|  | ASSETS |
| 25, 26, 33, 34, 39 | **Asset amount***(for asset returns, asset confiscations, or asset freezes related to corruption offenses. You can enter multiple amounts related to the same case, e.g. if some assets were confiscated and some were returned.)* |  | **Asset amount** | **Currency** |
| [ ]  Assets were returned |  |  |
| [ ]  Assets were returned (in part) |  |  |
| [ ]  Assets were confiscated |  |  |
| [ ]  Assets were frozen/seized |  |  |
| [ ]  Assets were unfrozen/released |  |  |
| [ ]  Other: |  |  |
| 28 | **Date of asset return** | *(month/year or time span)* | **Receiving jurisdiction** |
|  |
| 35 | **Date of confiscation order** | *(month/year or time span)* | **Jurisdiction** |
|  |
| **Enforcement of confiscation order(s)** *(if different)* | *(month/year or time span)* | **Jurisdiction** |
|  |
| 40 | **Date of freezing/seizure order**  | *(month/year or time span)* | **Jurisdiction** |
|  |
| **Enforcement of asset freezing/seizure order***(if different)* | *(month/year or time span)* | **Jurisdiction** |
|  |
| 29 | **Asset type at time of return***(select all that apply)* | [ ]  Cash/bank deposit[ ]  Gold[ ]  Securities[ ]  Legal entity or arrangement | [ ]  Real estate[ ]  Motor vehicle[ ]  Yacht/boat[ ]  Aircraft | [ ]  Artwork[ ]  Jewellery[ ]  Other: \_\_\_\_ |
| 37, 42 | **Asset type at time of confiscation/freeze/seizure***(select all that apply)* | [ ]  Cash/bank deposit[ ]  Gold[ ]  Securities[ ]  Legal entity or arrangement | [ ]  Real estate[ ]  Motor vehicle[ ] Yacht/Boat[ ]  Aircraft | [ ]  Artwork[ ]  Jewellery[ ] Other: \_\_\_\_\_\_\_\_\_ |
| 31 | **Was there any agreement for the disbursement of returned assets?** | [ ]  Yes, an agreement under UNCAC Art.57(5) exists[ ]  Agreement under UNCAC Art.57(5) is planned[ ]  No agreement | [ ]  Yes, an asset-sharing agreement[ ]  Yes, another agreement. Please explain: |
| **If yes, is the text of the agreement publicly available, or available upon request?** | [ ]  Yes. Please provide a link: [ ]  No[ ]  N/A (no agreement) |
| 32 | **Are there any special provisions in the agreement regarding the** **monitoring and/or the use of returned assets**?  | *If yes, please provide details on the agreed-on provisions for monitoring and use of assets, e.g. funds to be used for specific development projects linked to SDGs, or other uses.* *Please note any involvement of a third party, e.g. a CSO or an international organization.* |
|  | Sources |
| 45 | **Sources** *(please add links or attach documents, e.g. court documents, press releases, government reports)*  |  |

1. The case title can be the name of an entity or individual involved (or allegedly involved) or a different case identifier appropriate for the public record may be used. Please do not include internal case numbers or other sensitive information. [↑](#footnote-ref-2)
2. See article 2(f) UNCAC: “temporarily prohibiting the transfer, conversion, disposition or movement of property or temporarily assuming custody or control of the property on the basis of an order issued by a court or other competent authority”. [↑](#footnote-ref-3)
3. See article 2 (g) UNCAC: “includes forfeiture where applicable, shall mean the permanent deprivation of property by order of a court or other competent authority”. [↑](#footnote-ref-4)
4. Usually the country of origin of the public official involved. Also sometimes referred to as the “Source Country” or “Victim State”. It is typically the country where the original corruption offence took place. [↑](#footnote-ref-5)
5. The country of asset location is defined as the country or state where the proceeds of corruption are located. Also sometimes referred to as the “Destination Country” or “Holding State”. [↑](#footnote-ref-6)
6. Jurisdiction of the (alleged) bribe-payer (e.g., jurisdiction of involved company’s headquarters) [↑](#footnote-ref-7)
7. A country (other than the country of origin and the country of asset location) through which corrupt funds passed. [↑](#footnote-ref-8)
8. Do not include names of individuals that have not been cited in the public record. [↑](#footnote-ref-9)
9. Do not include names of individuals that have not been cited in the public record. [↑](#footnote-ref-10)
10. A third country is defined as a country other than the country of origin or the country of asset location. [↑](#footnote-ref-11)
11. It is a temporary measure ordered by the FIU to block, suspend, or postpone transactions on an account, available many but not all jurisdictions. An FIU order to postpone a suspicious transaction is also sometimes referred to as an “FIU freeze”, “FIU postponement power”, or “suspending transactions”. [↑](#footnote-ref-12)
12. This refers to situations where a financial institution freezes assets and notifies authorities of their action (absent a freezing/seizure order from a court). [↑](#footnote-ref-13)
13. Value judgment or equivalent-value-based confiscation allows for assets that are equivalent in value to proceeds of crime to be restrained or confiscated in cases where the actual proceeds of crime cannot be located or no longer exist. See article 31(1), UNCAC. [↑](#footnote-ref-14)
14. A third party is defined as a party other than the country of origin, the country of asset location, and their legal/financial representatives. [↑](#footnote-ref-15)