

September 5, 2012

## DRAFT Agenda

### Arab Forum on Asset Recovery 11-13 September 2012 St. Regis Hotel, Doha, State of Qatar

**Background:** The Deauville Partnership with Arab Countries in transition is an international effort launched by the G-8 at the Leaders Meeting in Deauville, France in 2011 to support countries in the Arab world engaged in transitions toward “free, democratic and tolerant societies.” The Partnership includes Canada, Egypt, the European Union, France, Germany, Italy, Japan, Jordan, Libya, Kuwait, Morocco, Qatar, Russia, Saudi Arabia, Tunisia, Turkey, the United Arab Emirates, the United Kingdom and the United States.

At Camp David in May 2012, the G8 Leaders endorsed the Action Plan on Asset Recovery within the overall framework of the Deauville Partnership with Arab Countries in transition. This Action Plan was approved by the Governance Pillar of the Deauville Partnership in April 2012. In the plan, G8 countries commit to a comprehensive list of actions aimed to promote cooperation and case assistance, capacity building efforts and technical assistance in support of the efforts of Arab countries in transition in recovering assets diverted by past regimes. For their part, transition countries commit to pursue legal and institutional reforms and enhance domestic coordination to facilitate cooperation with the G8 on asset recovery. Among others, all countries also agree ...”*to assist [and participate] in the launch of an Arab Forum on Asset Recovery, which will serve in part as a coordinating mechanism on this issue, through periodic meetings and other activities, and with the support and involvement of the regional partners*”. The Regional countries invited to attend the forum will be Kuwait, Qatar, Saudi Arabia, Turkey and the UAE. Other countries invited will include Belgium, Lebanon, Liechtenstein, Malta, Spain, South Africa, Switzerland, Yemen and the Bailiwicks of Guernsey and Jersey.

Adding to this momentum was a recent resolution of the Conference of the States Parties to the United Nations Convention against Corruption (November 2011) calling for increased international cooperation in asset recovery and outlining the challenges faced by countries, in particular in the MENA region.

The Arab Forum on Asset Recovery will bring together the G8 as well as the Regional and Deauville Partner countries for a multi-faceted effort that raises awareness of effective measures for asset recovery, provides a forum for regional training and discussion of best practices on cases, and identifies country-specific capacity building needs.

**Objectives:** The primary objective of the Forum is to start a process of collaboration on the issue of asset recovery in the region, through periodic meetings and other activities. This partnership would also provide a repository of information, contacts and good practices on asset recovery specific to the countries of the Deauville Partnership. The objectives of this first meeting of the Forum will be to:

- identify and communicate the needs for country-specific capacity building, with clear and easy to monitor commitments
- provide regional training to practitioners engaged in tracing, freezing, and recovering the proceeds of corruption

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- encourage G8, Partner and Regional countries to introduce policy changes and legislative/institutional changes needed to facilitate effective asset recovery;
- provide a platform for potential bilateral and multilateral side-meetings between the countries seeking asset recovery and the various G8, Partner and Regional countries;

Underpinning and informing these objectives are both (a) the progress and challenges encountered by both requesting and requested countries in pursuing the recovery of assets and (b) the progress made in the implementation of the Deauville Partnership Action Plan on Asset Recovery. Countries may further decide to utilize the platform provided by the Forum to engage in side meetings to discuss individual cases on the margins of the Forum. The Forum will provide the respective facilities and, if requested, help in facilitating such meetings. Delegations deciding to conduct such meetings, may consider sharing the lessons coming out of such meetings, including good practices, with a view to informing the policy discussions taking place in the Forum – as well as assisting in the identification of technical assistance needs.

The StAR Initiative - a joint program of The World Bank and the United Nations Office on Drugs and Crime – is identified as a key partner in the Asset Recovery Action Plan and provides support to the meeting and the Arab Forum initiative. StAR has been actively engaged with assisting Arab countries in transition, including Egypt and Tunisia, in seeking the return of assets from several foreign jurisdictions, including G8 members. StAR has assisted these countries with developing strategies, improving interagency coordination, and engaging in international cooperation. StAR is in dialogue with other countries in the Region regarding similar assistance.

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***Arab Forum on Asset Recovery***  
***September 11-13 2012 – Doha, State of Qatar***  
**DRAFT AGENDA**

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**DAY 1: September 11**

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8.00     **Registration**

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9.45     **OPENING SESSION**     The opening session will feature welcoming remarks by the host, the G8 Presidency and other top level representatives of invited countries and organizations.

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11.45    **BREAK**

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12.15    **SESSION I**     The session will set the stage for the Forum by providing select delegations of the region (Tunisia, Egypt, Libya, Yemen) an opportunity to shortly outline their main expectations towards the forum.

**Expectations towards the Arab Forum on Asset Recovery**

**Moderator: Canada**

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13.15                                    **LUNCH**

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15.00    **SESSION II**     The session will be outlining the successes and challenges encountered thus far by both requesting and requested countries in pursuing the recovery of assets diverted from the Arab countries in transition.

**Successes and Challenges: Lessons learned by the Deauville partnership countries in seeking the recovery of assets**

Presentation by Tunisia on the primary legal, institutional and operational challenges in tracing assets and cooperating effectively in their seizing, confiscation and return (15 min.).

**Moderator: Morocco**

Presentation by the UK on the primary legal, institutional and operational challenges in tracing assets and cooperating effectively in their seizing, confiscation and return (15 min.).  
Discussion

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**Working Sessions will start as of 16.30 and be divided in three Work Streams for:**

<p><b>Work Stream 1 for Investigators, forensic auditors and FIU staff</b></p> <p><b>Rapporteur: Canada/StAR</b></p>	<p><b>Work Stream 2 for Prosecutors, Investigating Judges and Lawyers in Central Authorities</b></p> <p><b>Rapporteur: UK/StAR</b></p>	<p><b>Work Stream 3 for Policy makers, legal draftspersons, staff of foreign affairs and technical assistance providers</b></p> <p><b>Rapporteur: US/StAR</b></p>
<p><b>Getting started: mounting national and international financial investigations</b></p>	<p><b>International cooperation for the purpose of asset recovery</b></p>	<p><b>Effective policies, laws and technical assistance to advance asset recovery at domestic level and internationally</b></p>
<p>This Work Stream will focus on the experiences made in asset tracing by selected countries involved in the recovery efforts of Arab countries in transitions. It will outline different approaches adopted by countries in opening their own domestic cases, establishing asset recovery teams, identifying and tracing asset domestically and at the international level, and using multiple channels of informal communication to identify the location, nature and volume of assets.</p>	<p>This Work Stream will highlight lessons learned by G8 countries, Deauville partners and other countries in requesting international cooperation – in particular mutual legal assistance - for the purpose of seizure and confiscation of the proceeds of corruption and related offences as well as responding to such requests received.</p>	<p>This Work Stream will provide a platform to discuss and identify good practices and models in terms of policies, laws, resource allocation and coordination mechanisms providing an enabling legal, institutional and operation environment and framework to effectively identify and trace assets, ensure timely seizure and freezing, effective confiscation and recovery both at national as well as at international levels.</p>

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<b><u>SESSION III 16.30 – 18.00</u></b>		
<b>Work Stream 1</b>	<b>Work Stream 2</b>	<b><u>Work Stream 3:</u></b>
<p><b>Moderator: Jordan</b></p> <p><b>Getting started:</b> Presentation 1 by <u>Tunisia</u>: Developing a case strategy, assembling a team, gathering intelligence and evidence (including the volume/source of losses), considering different legal avenues for asset recovery (10 min.).</p> <p>Presentation 2 by the <u>UK</u>: Adopting a proactive approach to asset recovery – identifying the assets, the role of FIUs, opening a domestic investigation, reaching out and supporting affected countries (10 min.).</p> <p>Open Discussion (60 min.)</p> <p>Conclusions</p>	<p><b>Moderator: Japan</b></p> <p><b>International cooperation in criminal matters for the purpose of confiscation:</b> Presentation 1 by <u>Egypt</u>: State of play of Mutual legal assistance requests – what progress has been made and what is holding them back (10 min.).</p> <p>Presentation 2 by <u>Switzerland</u>: State of play of Mutual legal assistance requests – what progress has been made and what is holding them back (10 min.).</p> <p>Open Discussion (60 min.)</p> <p>Conclusions</p>	<p><b>Moderator: UAE</b></p> <p><b>Creating an enabling policy environment:</b> Presentation 1 by <u>the US</u>: Taking the profit out of crime - Establishing and operating effective proceeds of crime regime, domestically and in cooperation with foreign jurisdictions (10 min.).</p> <p>Presentation 2 by <u>Qatar</u>: Establishing asset recovery policies and creating domestic coordination mechanisms (10 min.).</p> <p>Open Discussion (60 min.)</p> <p>Conclusions</p>

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18.00 **Close of First Day**

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19.00 **Dinner hosted by the H.E Dr. Ali Bin Fetais Al Marri, Attorney General of the State of Qatar**

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**DAY 2: September 12**

<b><u>SESSION IV 9.00 – 11.00</u></b>		
<b>Work Stream 1</b>	<b>Work Stream 2</b>	<b>Work Stream 3</b>
<p><b>Moderator: Belgium</b></p> <p><b>Sources of corporate, financial and property information and their use in financial investigations:</b>                      Presentation 1 by <u>Liechtenstein</u> (10 min.).</p> <p>Presentation 2 by <u>Qatar</u> (10 min.).</p> <p>Presentation 3 by <u>Guernsey</u>: (10 min.).</p> <p>Open Discussion (80 min.)</p> <p>Conclusions</p>	<p><b>Moderator: Saudi Arabia</b></p> <p><b>Securing assets:</b></p> <p>Presentation 1 by <u>the UAE</u>: Asset freezing – tools and methods to ensure the rapid and coordinated freezing of assets (10 min.).</p> <p>Presentation 1 by <u>the US</u>: Asset freezing – tools and methods to ensure the rapid and coordinated freezing of assets. Methods to connect the assets and the underlying offence. (10 min.).</p> <p>Open Discussion (80 min.)</p> <p>Conclusions</p>	<p><b>Moderator: Jersey</b></p> <p><b>Creating an enabling legal environment – Part 1:</b></p> <p>Presentation 1 by <u>Canada</u>: Putting laws or mechanisms in place to rapidly freeze assets of corrupt regimes (10 min.).</p> <p>Presentation 2 by <u>Libya</u>: Rapid asset freeze by domestic decree – advantages and challenges (10 min.).</p> <p>Open Discussion (90 min.)</p> <p>Conclusions</p>

11.00 **Break**

<b><u>SESSION V 11.30 – 13.00</u></b>
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Work Stream 1	Work Stream 2	Work Stream 3
<p><b>Moderator: Spain</b></p> <p><b>Making effective use of practitioners' networks:</b>            Presentation 1 by <u>StAR/INTERPOL Focal Point</u>: Experiences, good practices and lessons learned from the establishment of the StAR/INTERPOL Global Asset Recovery Network (10 min.).</p> <p>Presentation 2 by <u>CARIN</u>: Experiences, good practices and lessons learned from the establishment of CARIN as an example of a regional network (10 min.).</p> <p>Presentation 3 by <u>EUROJUST</u>: The mandate, functions and services provided by EUROJUST in facilitating the identification of contacts, the tracing and freezing of assets (10 min.).</p> <p>Presentation 4 by <u>EGMONT</u>: The role of FIUs and the Egmont Group in asset recovery. (10 min.).</p> <p>Open Discussion (40 min.)</p> <p>Conclusions</p>	<p><b>Moderator: Turkey</b></p> <p><b>Direct recovery and civil litigation:</b></p> <p>Presentation 1 by <u>France</u>: Opportunities and limitations of pursuing asset recovery as <i>partie civile</i> to a criminal enforcement action (10 min.).</p> <p>Presentation 2 by <u>Kuwait</u>: Opportunities and limitations of pursuing asset recovery by means of private civil litigation (10 min.).</p> <p>Open Discussion (60 min.)</p> <p>Conclusions</p>	<p><b>Moderator: Russia</b></p> <p><b>Creating an enabling legal environment – Part 2:</b>            Presentation 1 by <u>Italy</u>: Rebuttable presumptions, non-conviction based forfeiture and other legal tools for effective confiscation (10 min.).</p> <p>Presentation 2 by <u>Switzerland</u>: Innovative legal tools to facilitate Asset Recovery (10 min.)</p> <p>Open Discussion (60 min.)</p> <p>Conclusions</p>

13.00 Lunch

<b>SESSION VI 14.30 – 16.00</b>	
<b>Works Streams 1 &amp; 2</b>	<b>Work Stream 3</b>
<p><b>Space for Bilateral Meetings for Participants of Work Streams 1 and 2: (CLOSED SESSIONS)</b>            This space is intended for practitioners in Work Streams 1 and 2 to organize bilateral meetings to discuss individual cases as well as identify and resolve specific technical questions and challenges.</p>	<p><b>Moderators: The World Bank/UNODC (CLOSED SESSIONS)</b></p> <p>Technical assistance/capacity building cooperation priorities in advancing asset recovery and anti-corruption reforms (Closed Sessions): <sup>1</sup></p> <p>Presentation of TA priorities <u>by Libya</u>            Discussion with TA providers (14.30 – 15.00)</p> <p>Presentation of TA priorities <u>by Yemen</u>            Discussion with TA providers (15.00 – 15.30)</p> <p>Presentation of TA priorities <u>by Egypt</u>            Discussion with TA providers (15.30 – 16.00)</p>

<sup>1</sup> THESE SESSIONS ARE INTENDED FOR THE INDIVIDUAL COUNTRIES INTERESTED IN TECHNICAL COOPERATION AND INTERSTED PROVIDERS OF TECHNICAL ASSISTANCE ONLY. OTHER COUNTRIES ARE WELCOME TO SIGN UP FOR TECHNICAL ASSISTANCE SESSIONS IF THEY SHOULD WISH TO DO SO. PLEASE CONTACT Ms. Francisca Fernando at [ffernando@worldbank.org](mailto:ffernando@worldbank.org).

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16.00 **Break**

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16.30 **G8 and other regional coordination meetings / meeting of the Rapporteurs**

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17.30 **Closing of Day 2**

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**DAY 3: September 13**

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- 9.00 **SESSION VI  
From Words To Action  
Moderator: StAR**
- Presentations of Working Stream Reports by Rapporteurs
  - Presentation of the Chairs' Statement
  - Comments and discussion
  - Launch of the Arab Asset Recovery Forum Website
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11.00 **Break**

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<b>SESSION VII 11.30 – 13.00</b>	
<b>Work Stream 1 and 2</b>	<b>Work Stream 3</b>
<p><b>Space for Bilateral Meetings for Participants of Work Streams 1 and 2: (CLOSED SESSIONS)</b> This space is intended for practitioners in Work Streams 1 and 2 to organize bilateral meetings to discuss individual cases as well as identify and resolve specific technical questions and challenges.</p>	<p><b>Moderators: The World Bank/UNODC (CLOSED SESSIONS - Continues)</b></p> <p>Technical assistance/capacity building cooperation priorities in advancing asset recovery and anti-corruption reforms (Closed Sessions):</p> <p>Presentation of TA priorities <u>by Tunisia</u> Discussion with TA providers</p>

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	<p>(11.30 – 12.00)</p> <p><b>Presentation of TA priorities <u>by other countries (upon request)</u><sup>2</sup></b></p> <p><b>Discussion with TA providers (12.00 – 13.00)</b></p>
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13.15 **Lunch**

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14.30 **CLOSING SESSION**      • Closing remarks

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15.00 **CLOSE OF FORUM**

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15.30 **Visit to the Museum of Islamic Art**

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