



STAR

World Bank and UNODC

Work Plan

November 24, 2008

ACRONYMS

CARIN	Camden Asset Recovery Information Network
COSP	Conference of States Parties
CSO	Civil Society Organization
FATF	Financial Action Task Force
FStAR	Friends of the Stolen Asset Recovery Initiative
INTERPOL	International Criminal Police Organization
MDTF	Multi-Donor Trust Fund
NCB	Non-Conviction Based (Forfeiture)
OECD	Organization for Economic Cooperation and Development
PEP	Politically Exposed Person
StAR	Stolen Asset Recovery Initiative
UNCAC	United Nations Convention Against Corruption
UNODC	United Nations Office on Drugs and Crime

A. INTRODUCTION

1. When the StAR Initiative was originally conceived in mid-2007, StAR had two priorities: lowering of the barriers to asset recovery in the major financial centers and building the technical capacity to facilitate asset recovery by victim states. StAR's status as an international effort to assist countries recover stolen assets, working with both financial centers and victim states, was expected to encourage the victim states to actively seek StAR assistance. In these countries, StAR was expected to focus on capacity building and provide technical advice to facilitate asset recovery activities at the country level, but StAR did not intend undertake activities directly related to specific asset recovery cases.

2. In practice, demand for assistance was initially slow to materialize and so, from early 2008, Bank and UNODC management directed to StAR to become more proactive in promoting and supporting countries and specific cases. StAR was to focus on those countries and cases that offered potential for quick wins, since progress in high profile cases would help raise international awareness, encourage financial centers to collaborate and encourage other countries to come forward with cases. Progress in asset recovery would thereby accelerate, with success generating a growing portfolio of cases.

3. Experience has shown some of the assumptions regarding the progress of asset recovery programs to have been too optimistic. It will take time to develop demand for StAR support on asset recovery initiatives in victim countries. Furthermore, given the complexity of asset recovery processes, asset recovery programs at the country level will take time to deliver results. StAR is more likely to deliver results if the program can also encourage financial centers and other jurisdictions to lower the barriers to asset recovery. National authorities and practitioners have made it clear that they consider international assistance in generating information, knowledge and policy advice on the asset recovery agenda a priority. These considerations point to the need for rebalancing of the StAR agenda.

4. Building on projects launched in early 2008, StAR's work plan covers the period November 2008 to December 2010. While this planning horizon is short in relation to the time needed to secure the recovery of assets, it is sufficient to assess StAR's potential over the longer-term and make informed decisions regarding StAR's future. This assessment will be based on progress towards the achievement of the objectives and target indicators laid out in the results matrix (see Annex B).

5. StAR intends to front-load activities aimed at reducing the barriers to asset recovery through research, knowledge products and advocacy, whilst simultaneously developing a portfolio of national asset recovery programs that are expected to lead to the return of stolen assets over the medium to long-term. The proposed work plan allocates approximately forty percent of StAR's resources over the two year launch period to research, knowledge products and advocacy, twenty five percent to capacity building and thirty percent to support for national asset recovery programs, with the remaining five percent allocated to cross-cutting support functions.

6. The frontloading of activities aimed at reducing the barriers to asset recovery demonstrates StAR's commitment to addressing the international dimensions of asset theft and underlines the shared responsibility of both victim states and financial centers. The focus on barriers to asset recovery also seeks to exploit the opportunity for regulatory reforms following

the recent financial crisis. The crisis has highlighted the need improvements in financial sector transparency. Changes in the international regulatory framework are already under discussion. StAR seeks to ensure that reforms aimed at improving governance, facilitating asset recovery and deterring asset theft are addressed as part of this reform agenda.

7. The third UNCAC Conference of States Parties (COSP) scheduled for November 2009 provides an important opportunity to showcase and disseminate StAR's research and knowledge products. StAR's focus on tools for practitioners responds to a priority identified by the COSP asset recovery working group, which encouraged international cooperation to develop practical tools to support recovery programs and guidance on legal and technical innovations. StAR's knowledge products and tools will also help monitor implementation of UNCAC's asset recovery provisions. This will complement the broader discussion at the Doha COSP on UNCAC's monitoring arrangements. These contributions will send a strong signal that progress is being made in asset recovery agenda and help inform and shape the emerging asset recovery policy agenda.

8. Alongside this initial focus on knowledge and advocacy, StAR will also make substantial investments in national capacity building. This will help build confidence in StAR and forge working relationships with the key institutions in financial centers and victim states. These relationships should encourage countries to pursue asset recovery cases, which will, in turn, promote a gradual expansion of StAR's support to national asset recovery programs over the two year period.

9. The work plan is intended to be a guide – rather than a blue print – for the two year period. The knowledge products have been identified and work will have to start by early 2009 these products are to be delivered completed within the two year period. At present, the products are only loosely defined. The concept note and review process will determine the form that these knowledge products will ultimately take and how they will be developed. While the work plan identifies steps in process of developing the advocacy strategy, the advocacy activities have yet to be defined since these will have to be consistent with the recommendations arising from StAR's analytical work and consultations with FStAR and other stakeholders. The work plan provides only broad allocations for components two (Building National Capacity) and three (Preparatory Assistance to Asset Recovery). The specific capacity building activities and technical assistance activities in support of national asset recovery programs will be determined by client interest and demand, as well as country circumstances. The Secretariat will revise the work plan every six months, adjusting activities in line with implementation experience, changing priorities and in response to client demand.

B. GLOBAL KNOWLEDGE AND ADVOCACY

10. Under component one, StAR seeks to generate two broad categories of knowledge products: firstly, tools to assist practitioners working on asset recovery cases; and secondly, analytical work to inform the design and implementation of policies aimed at lowering the barriers to asset recovery in financial centers.

11. The focus on practical tools responds to a priority identified by practitioners, who have highlighted the need for “how to” guides and supporting information systems, drawing on international best practice. An Asset Recovery Guide will be prepared as StAR's “flagship” product, consolidating practical advice on each stage of the asset recovery process and reflecting

the requirements of key jurisdictions. Complementary “how to” products include: the Non-Conviction Based Forfeiture Guide (already nearing completion); guidance on the design and use of income and asset declarations; guidance on the monitoring of PEPs (politically exposed persons); guidance on the monitoring of returned assets; a legal library on asset recovery as part of a broader initiative covering all of UNCAC’s provisions; and information technology tools to support case management and the drafting of mutual legal assistance requests.

12. StAR policy analysis seeks to strengthen financial centers’ support for developing countries’ asset recovery activities. Two cross cutting studies will be undertaken: one on the use of lists of politically exposed persons by financial institutions, oversight bodies and law enforcement agencies; the second on the use corporate instruments to hide stolen assets. These studies will inform policy debate at an international level. StAR will also undertake financial center case studies aimed at assessing financial center’s asset recovery arrangements. The case studies will help identify best practices and the measures that can be undertaken to facilitate asset recovery. They will also provide a basis for monitoring progress over the coming years. StAR will review the feasibility of extending the country-specific studies as a benchmarking exercise, possibly as an ease of recovery index, to facilitate monitoring of progress in strengthening asset recovery arrangements in both victim states and the jurisdictions where stolen assets are deposited.

13. StAR seeks to involve a wide-range of practitioners, from diverse professional backgrounds, regions and legal traditions, in the preparation of its knowledge products and policy analysis. This inevitably increases preparation costs, not only because the teams will tend to be large and diverse, but also because preparation will have to follow a consultative process, to develop a common vision of the product and share experience. The experience gained in the preparation of the Non-Conviction Based Forfeiture Guide demonstrates that this participatory approach helps ensure that products reflect international experience and identify good practices. Investments in consultation during the design and preparation of StAR products will also facilitate subsequent dissemination by involving a wider range of partners.

14. StAR’s advocacy strategy will focus on the promotion of measures to reduce the barriers to asset recovery by key financial centers. The advocacy strategy will be informed by StAR’s policy analysis and consultations with key stakeholders. The Secretariat intends to conclude a first round of consultations with key external stakeholders by mid-2009. Consultations are geared to two distinct audiences: first national and international institutions and second the civil society organizations supporting developing countries’ asset recovery efforts. StAR will review the international architecture for asset recovery, identifying institutions’ role and contributions, as well as any gaps in the institutional framework, to help inform discussions with key stakeholders. StAR will also review the role of civil society in asset recovery, identifying issues of common concern and areas for collaboration that reflect the strengths and mandates of the various stakeholders. A paper on civil society addressing these issues will be issued by the end of the year. This will inform StAR’s work plan and help shape StAR’s dialogue with national authorities and international institutions.

15. StAR will also support the development of a knowledge consortium comprising national and international institutions and civil society organizations that are engaged in asset recovery activities. The consortium will establish a virtual network, facilitating the exchange of information between agencies supporting the asset recovery agenda and facilitating contacts between practitioners. The consortium will also serve as a vehicle for collaboration between

various stakeholders in the preparation of the various StAR knowledge products and policy studies.

16. StAR will play an active role in international conferences and events related to asset recovery in order to disseminate the results of its policy analysis and advocate for reforms. Participation in these events also provides an opportunity to build contacts with national authorities. The Secretariat has prepared a conference plan and a review mechanism to align participation in events with StAR's broader strategy and advocacy program.

C. BUILDING NATIONAL CAPACITY

17. Under component two, StAR will support the development of networks of practitioners and finance training activities at the regional and country level.

18. Practitioners have stressed the importance of formal and informal networks in facilitating the asset recovery process. Networks provide an opportunity for practitioners to learn from peers, contribute to the creation of knowledge and develop common policy agendas. Networks also allow practitioners to gain familiarity with each other's working methods, develop contacts in key jurisdictions and build trust. This facilitates the exchange of intelligence on asset recovery matters, develops sources of information on the requirements for and follow-up on requests for mutual legal assistance.

19. StAR will assist the development of formal networks between focal points in institutions responsible for asset recovery activities. StAR is supporting INTERPOL's efforts to develop a network of officials in law enforcement agencies world wide who can follow-up on and provide guidance on asset recovery matters arising from a wide range of predicate offences. StAR will also support the development of a network of asset recovery focal points within the framework of the UNCAC. There is expected to be some overlap between these networks. Their sustainability and effectiveness will largely be determined by their regular use by practitioners. However, the link to the convention also provides a mechanism for regular updating of the focal points lists amongst countries that may be irregularly engaged in asset recovery activities.

20. StAR will assist in the development of informal networks of practitioners through regional workshops. Regional workshops can be used to raise awareness of the asset recovery agenda among senior practitioners and policy makers and inform them of the specific services that StAR can offer. Regional workshops can also help develop networks of practitioners within particular regions, including providing a forum for contacts between national authorities in countries that have been the victims of asset theft and the financial centers where assets may have been channeled. StAR has already held several regional workshops in East Asia. StAR will hold a regional workshop for Latin America during 2009. Further regional workshops may be scheduled during 2010.

21. StAR will make substantial investments in the development of national capacity by supporting training courses for practitioners at both the national and regional levels. The primary purpose of training courses is to teach participants how to identify, investigate and prepare asset recovery cases. Courses can also help foster cooperation between the agencies that work on asset recovery and assist in the development of countries' asset recovery programs. These objectives are best achieved through country specific training programs. However, regional courses may also be undertaken where there are common legal systems within the region and where the

objective is to develop regional networks of practitioners to combat illicit flows between jurisdictions.

22. StAR will contract out the preparation and delivery of most of its training courses. The contractor will develop a core curriculum, including practical exercises for the various stages of the asset recovery process, and tailor the curriculum to each country or regional audience. However, the contractor will be encouraged to use the skills of Bank and UNODC staff where possible, with Bank and UNODC staff acting as facilitators in some courses. StAR anticipates that four to five courses based on the core curriculum will be delivered each year. StAR has issued a request for expressions of interest for an Indefinite Delivery Agreement which would meet StAR's core training course requirements during the first two years. This is intended to provide sufficient security for the selected contractor(s) to develop a curriculum and put in place a professional team for core courses.

23. Pending the completion of the procurement process for the training program, StAR will deliver two regional training courses. One course, to be delivered in late 2008, brings together participants from Bangladesh and various other East Asian countries. The course will be co-financed by the American Bar Association. The second course will be delivered in early 2009 in East Africa. These activities follow on from a training program launched in early 2008 and fulfill commitments with national authorities.

24. In addition to these regional training courses, StAR will continue to fund standalone training activities as requested by national authorities. These activities may be implemented by Bank and UNODC staff, particularly in areas such as anti-money laundering, where both institutions have training capacity. Some of these training courses may be funded from StAR's country program budgets, since the courses will be structured and designed according to the needs of the countries' asset recovery program.

D. COUNTRY ENGAGEMENT

25. StAR has developed clear rules of engagement aimed at managing the risks inherent in asset recovery activities. These rules of engagement structure the process for decision making regarding StAR's country engagement, ensuring that Bank and UNODC senior management with responsibility for each country are involved and are subsequently informed of progress in the implementation of StAR activities and substantive discussions with the national authorities. The decision-making process provides an opportunity to gauge political commitment to the asset recovery process and potential risks to StAR engagement, so as to avoid perceived intervention in the internal political affairs of partner countries.

26. The rules of engagement also define the scope of StAR assistance, as reflected in operational guidelines prepared in collaboration with the Bank's legal affairs department. StAR may provide preparatory assistance aimed at collecting and sharing information to facilitate the progress of a country's specific asset recovery efforts. This includes country dialogue, sponsoring of meetings which bring together the parties involved and advisory services to support the preparation of analytical reports, legal research, assistance with audits and financial analysis, as well as advising on mutual legal assistance. There are important limitations on StAR assistance, for instance, excluding the StAR from hiring legal representation or becoming involved in decision-making regarding a specific case.

27. StAR will continue to expand and deepen its support to national asset recovery programs, with a view to generating development impacts and demonstrating the potential of asset recovery through the return of stolen assets. As of late November 2008, StAR is actively engaged in providing assistance to six countries out of the eleven countries that have formally requested assistance. The nature of StAR engagement varies: in some cases assistance has been geared to policy dialogue and facilitation of contacts between national authorities and financial centers, in others the StAR has supported training activities and StAR has provided some advisory services to support specific asset recovery cases. However, the prospective cases in the existing country portfolio are relatively small, most are under judicial review and in some cases it will be politically challenging to make further progress. Consequently, StAR will have to identify and engage with new partners in order to build a more diversified portfolio, including country programs that may be able to conclude cases that will have a demonstration effect.

28. Political commitment and the will to pursue cases are key considerations in the identification of additional StAR partners. StAR is currently engaged in discussions with regional management teams in the Bank and UNODC to identify potential partners. These include countries with Bank-supported Governance and Anti-Corruption initiatives and countries that have requested assistance on asset recovery issues through their responses to UNCAC monitoring questionnaires. StAR is also following up with countries that have recently requested assistance and revisiting requests that were held on review owing to concerns regarding the political situation in the requesting country. Initial contacts with these countries may develop into new country programs, though it is likely to take some time for national authorities to be sufficiently familiar with StAR to ask for assistance on sensitive and confidential case work.

29. Consequently, even with these efforts, it will be difficult for StAR to secure the return large amounts of stolen assets in the short-term. More realistic criteria for assessing success at the end of 2010 will be an expansion in the number of countries actively pursuing asset recovery cases, the extent to which StAR is actively engaged in providing support to these countries, progress in submitting requests for international cooperation in asset recovery and – possibly – progress in freezing assets that have been identified. The transfer of skills to officials in countries where StAR is engaged, the launch of investigations and judicial decisions affecting asset recoveries are examples of how intermediate results can be measured.

E. PARTNERSHIPS

30. International cooperation is the key to making progress in the asset recovery, both in advancing regulatory reforms aimed at lowering the barriers to asset recovery and at the operational level in pursuing asset recovery cases. StAR seeks to promote such cooperation at various levels. One of the key instruments for developing partnerships is the Friends of StAR, a body convened in early 2008 to advise the Bank and UNODC on the development and implementation of StAR (see Box 1).

31. StAR will seek to engage partners in the development of its “how to” knowledge products and policy analysis. Key partners for the “how to” products include international professional associations (such as the Wolfsberg Group of bankers and bar associations), international organizations (such as Interpol, which is a partner with StAR on the establishment of asset recovery focal points) and networks (such as the CARIN network) with access to professional expertise and convening power. These institutions will be involved in the preparation of StAR products through formal consultations, invitations to participate in advisory

BOX 1: FRIENDS OF StAR

FStAR was established to advise Bank and UNODC management on the development and strategic direction of the StAR Initiative, drawing on their own practical experience, whilst also serving as advocates for StAR in international fora and with national authorities. FStAR comprises a diverse group of high-level advocates, policy makers and practitioners who share a commitment to the asset recovery agenda. FStAR held its first meeting February 2008, when it reviewed StAR program and argued that StAR should pay more attention to identifying specific cases where the World Bank's and UNODC's convening powers could help unblock proceedings. Some Friends have been able use their role in international bodies to advocate for and promote StAR.

Looking forward, StAR is particularly interested in mobilizing the Friends to support policy and institutional reforms in financial centers aimed at lowering the barriers to asset recovery. In order to develop this function, the StAR Secretariat will need to involve some of the Friends in the review of key StAR knowledge products, prepare briefing materials and facilitate their engagement in key international events. StAR is also interested in engaging with the Friends in consultations with national authorities, through quiet diplomacy to promote the asset recovery agenda and the StAR program and occasionally to assist in operational aspects related to national authorities' asset recovery programs.

Options for the development of the Friends of StAR will be reviewed with the Management Committee and the Chair of the Group, before convening a second meeting of the Friends in early 2009.

expert panels and formal peer reviewing. StAR will also work closely with international bodies which advise on policy, notably the working groups of the UNCAC Conference of State Parties and the OECD. Partnerships with these bodies will be particularly important in undertaking policy analysis which requires the active collaboration of member states, notably the partnership with OECD in the development of case studies on key financial centers. In addition, StAR will work closely with bilateral partners interested in support on specific products, such as collaboration with DfID in the review of the international architecture for asset recovery.

32. StAR will also seek partnerships with civil society organizations with an interest in asset recovery as part of their broader anti-corruption mandate. StAR is currently undertaking a review which highlights civil society's innovative work in this field and goes on to identify potential areas of collaboration, taking into account organizations differing interests, experience and competencies. The review demonstrates that many of the tools that primarily intended for the use of practitioners and national authorities – for instance, guidance on the use of income and asset declarations and guidance on the monitoring of returned assets – may also serve a useful purpose for civil society. Consequently, StAR will involve civil society organizations in the preparation and review of “how to” tools, with a view to incorporating guidance for civil society organizations in these products. This may lead to the preparation of outputs specifically targeted for civil society audiences. Civil society can also play an important role as advocates for reform in some of the key financial centers. Here too, StAR will seek to involve civil society organizations during the preparation and review process, as well in the follow-up of case studies. Collaboration with civil society may be more sensitive where StAR is providing support to the national level, whether in financial centers or in victim states. Nevertheless, assessments of country programs should explore whether there are potential areas for collaboration in the advocacy for asset recovery programs and how this potential could be harnessed.

33. StAR will establish a consultative process to help identify opportunities for collaboration with civil society organizations and ensure consistency in approach across the portfolio of activities.

F. IMPLEMENTATION AND FINANCING ARRANGEMENTS

34. The implementation arrangements for StAR's work plan seek to draw on and expand capacity within existing Bank and UNODC departments and teams rather than develop capacity dedicated solely to StAR activities within the StAR Secretariat. StAR recognizes that the technical skills needed to support asset recovery activities are closely related to skills required for on-going Bank and UNODC financial market integrity, anti-money laundering and anti-corruption programs. Collaboration with existing teams enables StAR to scale-up its activities relatively quickly by drawing on an existing pool of talent and a stock of institutional and country contacts. Collaboration also helps mainstream asset recovery work as part of the Bank and UNODC financial market and anti-corruption agendas, offering a vehicle for sustainability of asset recovery work over the longer-term.

35. Consequently, the staff and management of Bank and UNODC departments with an interest in asset recovery have participated in the design of the work program. StAR activities have been aligned with departmental priorities, the departments have assumed responsibility for their delivery and have identified the Task Team Leader or Lead Professional who will manage the task teams. The StAR Secretariat is involved in the quality control process and in monitoring progress but otherwise responsibility for delivery of the work plan is delegated to the respective TTL and Lead Professional and their line managers.

36. Task Teams will need to draw on consultants, representatives of partner organizations and contractors if they are to deliver the products identified in the work program. Individual activity budgets, approved as part of the Concept Note or Country Strategy Review process, will indicate staff and consultant time and costs and the departments responsible will determine how to meet these commitments from their staff compliments or by hiring staff and consultants on fixed-term assignments. Most of the consultancy inputs are expected to be short-term. However, both the Bank and UNODC may need to hire additional fixed-term staff who can work on several StAR activities over the two year period. In the case of Bank-managed activities, the StAR Secretariat will make such commitments on the understanding that a) the staff time will be shared between activities undertaken for the hiring unit and specified StAR activities; b) costs related to StAR activities will be covered from the StAR Multi-Donor Trust Fund (MDTF) on the basis of time billed; and c) StAR will participate in the drafting of Terms of Reference and the selection process for new fixed-term staff on assignments of one year or more.

37. In order to facilitate the exchange of experience and allow UNODC and Bank teams to draw on the other's specialist skills, the work plan provides for cross-support between the two organizations. Bank cross support to UNODC-managed activities will be managed by the StAR Secretariat and financed from the StAR MDTF, with assignments authorized by the StAR Coordinator and staff member's manager. Time and costs will be billed on actuals. Funds for UNODC cross support to Bank-managed tasks will be transferred as an annual allocation for UNODC cross support to Bank-managed activities. UNODC will report on the actual time and costs to the Management Committee.

38. In line with the implementation strategy outlined above, the StAR Secretariat management team remains a small unit primarily charged with coordinating of the various Bank and UNODC departments implementing StAR activities, ensuring quality control and consistency of approach across StAR activities and managing StAR's partnerships within both institutions and with external stakeholders. Full-time Secretariat staff comprise a StAR Coordinator (World Bank-funded), Deputy-Coordinator (UNODC-funded), a Head of Knowledge (UNODC-funded) and Head of Operations (World Bank-funded), supported by a Program Assistant (World Bank-funded).

39. StAR's work plan is financed by a combination of Bank and UNODC's own resources and the StAR Multi-Donor Trust Fund (MDTF). The costs of Bank regular staff assigned to the StAR Secretariat and working on StAR activities are currently covered from the Bank's own resources. In addition, budget resources have been assigned to Bank departments to cover variable costs associated with the implementation of some StAR activities. During the course of FY2009, these Bank budget allocations for StAR activities will be aligned with the work plan approved by the Management Committee. Subsequent Bank budgets will be prepared in consultation with the StAR Secretariat and incorporated in the overall financing plan for the StAR Initiative.

40. The financing requirement for the StAR MDTF is estimated at \$6.5 million for the two year period. Confirmed contributions currently stand at \$4 million (Norway \$3 million and Sweden \$1 million). However, several partners have expressed interest in funding StAR and existing partners have indicated that they may be able to expand their contributions based on performance. Consequently, the Secretariat will continue to plan on the basis of MDTF financing at \$6.5 million, whilst ensuring that commitments of MDTF financing to activities remain within the limits set by the confirmed contributions.

ANNEX A: SUMMARY OF StAR KNOWLEDGE PRODUCTS

HOW-TO: PRACTITIONERS' GUIDES

Non-Conviction Based Asset Forfeiture Guide. Non-Conviction Based (NCB) asset forfeiture is a procedure that provides for the seizure and forfeiture of stolen assets without the need for a criminal conviction. In many jurisdictions, this may be the only means of recovering assets where the wrongdoer is dead, has fled the jurisdiction or is immune to prosecution. UNCAC (Article 54(1)(C)) urges countries to consider putting in place mechanisms for NCB asset forfeiture. The NCB Guide provides practical advice to jurisdictions contemplating NCB asset forfeiture legislation. The Guide identifies the key concepts - legal, operational and practical - that an asset forfeiture system should encompass. The Guide is the product of a collaborative effort of a team of expert practitioners, including magistrates, prosecutors, and lawyers

Asset Recovery Handbook. The Asset Recovery Handbook will assist practitioners with the strategic, organizational, investigative, and legal challenges of international asset recovery. The Handbook will be a practical tool that highlights good practices in core areas, such as investigative techniques, following the "money trail", initiating judicial proceedings, and obtaining international legal assistance/cooperation. The Handbook will be a quick, web-based reference text.

Good Practice Guide on Income and Asset Declaration. Countries have adopted a variety of asset disclosure systems to prevent corruption and/or conflict of interest and/or illicit enrichment. The good practice guide will distill the experience of developed and developing countries and highlight successful approaches by practitioners in this field. The guide will also demonstrate how to use income and asset declaration in the prosecution of corruption cases.

TOOLS FOR PRACTITIONERS

Focal Points. Attempts to recover stolen assets often falter at the first stage because the victim country does not know who to approach in the recipient country. The focal point lists are a significant step towards rectifying this problem. The focal point list will comprise contact details of law enforcement professionals readily available to facilitate immediate asset recovery action. The list has been developed in collaboration with INTERPOL.

Legal Library. The Legal Library is a repository of legal knowledge related to the provisions of the UN Convention against Corruption governing the recovery of proceeds of corruption. National laws, regulations and jurisprudence are systematized reflecting the sequence of the provisions of the Convention. The Library illustrates how national legislation relates to such provisions and furnishes a practical and user-friendly way of seeing how each country is implementing them. Search engines and cross-references permit to navigate the Library and access legislation on asset recovery irrespective of the section of the Library where it is stored.

Mutual Legal Assistance (MLA) Request Writer Tool. UNODC has developed a [Mutual Legal Assistance Request Writer Tool](#), which can be used for all serious offences and not just those covered by international conventions. This tool is now being upgraded by StAR to ensure the program runs on most computer platforms. The tool provides guidance to practitioners through each step in the drafting of a mutual legal assistance request. The software uses checklists to prompt the entry of the information necessary for the requested State to execute the request. The software also contains Internet links to a wide range of information on treaties, national legislation and contact particulars of central authorities and contact persons for direct communication.

GoCASE - UNODC's Case Management Software Solution. The [GoCASE case management solution](#) facilitates the collection and development of intelligence and the investigation and prosecution processes that constitute the front end of most criminal justice or regulatory systems. It is a single solution that addresses all requirements needed by authorities in the intelligence and criminal justice arenas, whether to support analysts in developing inferences and hypotheses and producing strategic or tactical outputs, or to support front-line officers and investigators in identifying and reacting to investigative leads or to support prosecutors in handling court cases.

GoATR - UNODC's Asset Tracking and Recovery Software Solution. [GoATR](#) is an integrated software solution, under development by UNODC, designed as a stand alone product or as a component of UNODC's goCASE electronic case management system. The software supports agencies involved in the identification, restraint, management, forfeiture, recovery and realization of criminally-derived or stolen assets.

Knowledge Consortium. The Knowledge Management Consortium is a web-based collaborative forum that brings together international and regional institutions engaged in advancing global knowledge on anti-corruption and asset recovery. While the generation of such knowledge (reports, studies, policy papers, assessments, compilations of good practices, manuals, handbooks, directories of focal points and other tools for practitioners) remains an undertaking that such institutions may wish to carry out individually, the Consortium provides a single electronic repository, a portal of validated and state-of-the-art knowledge on asset recovery available to those seeking quality information.

ASSET RECOVERY POLICIES

Politically Exposed Persons (PEPs) study. Politically Exposed Persons (PEPs) are individuals who are or have been entrusted with prominent public functions. PEPs generally include senior politicians, senior government, judicial or military officials, senior executives of state owned corporations, important political party officials and members of the legislature. UNCAC provides that State Parties should require financial institutions to "conduct enhanced scrutiny of accounts sought or maintained by or on behalf of individuals who are, or have been, entrusted with prominent public functions and their family members and close associates..." (Article 52(1)...). StAR will review how different jurisdictions define PEPs and how financial

institutions and regulators ensure that PEPs are subject to enhanced scrutiny. Drawing on experience, this product seeks to identify mechanisms for improving international practice.

Corruption and the misuse of corporate vehicles. The laundering of the proceeds of corruption usually involves the use of corporate vehicles. These include limited companies, trusts, and foundation, with many varieties within each category. Typically these vehicles are established under the laws of foreign jurisdictions making it difficult to ascertain their beneficial owner - that is, the natural person who ultimately owns or controls the corporate vehicle. As such these corporate vehicles help provide anonymity and frustrate law enforcement efforts. Building on existing work in the area, the study will include a systematic, evidence-based survey of the mechanisms that allow the corporate vehicles to be misused for illicit purposes. It will further include a practical, applied guide to how authorities can improve access to information on beneficial ownership of foreign corporate vehicles.

Proceeds of Corruption: Management of Seized Assets and Monitoring Frameworks. From a public financial management perspective, international asset recovery cases present two challenges. First, ensuring that value of seized and forfeited assets is preserved through to the end of the legal proceedings when assets are either restituted to victim countries, or released. Second, maximizing the benefits from use of those assets that are returned and ensuring that they are used transparently. This study takes stock of international experience and informs countries of the alternative approaches available to them.

Study on the Global Architecture for Asset Recovery. There are a growing number of international institutions developing to support trans-national efforts to return assets that have been stolen from developing countries. These institutions as a whole are referred to as the Global Architecture. This study will; map the institutional architecture to support asset recovery; identify the strengths and weaknesses in the current institutional architecture; and propose adjustments and innovations.

The Role of Civil Society and Asset Recovery. In late October 2008, StAR held a public dialogue with civil society organizations (CSOs) in Athens, Greece, at the 13th annual international Anti-corruption Conference. This dialogue highlighted the roles that CSOs play in the fight against public corruption and asset theft. This paper draws on the consultations in Athens and explores how CSOs can contribute to asset recovery efforts. Finally the paper identifies potential areas for collaboration between StAR and civil society.

ANNEX B: RESULTS FRAMEWORK

1. The results framework lays out the medium to long-term development goal and impacts to which StAR seeks to contribute and the development objectives and results that StAR expects to deliver in the period to end 2010. The results framework serves two purposes. First, the results framework guides the StAR work plan, helping determine priorities and indicating how teams working on individual activities and products contribute to the broader development objectives. Second, the results framework will serve as the basis for independent evaluation of StAR’s pilot phase in late 2010.

2. There is a strong temptation to reduce the success or failure of asset recovery programs and the StAR Initiative as a whole to a single metric: the amount of money returned to developing countries. While the return of assets is an important indicator of success, the underlying rationale for asset recovery should be seen in terms of enforcement of the rule of law rather than purely economic terms. Where countries have been unable to bring prominent corruption cases to judgment in the past, the implementation of asset recovery program can demonstrate the willingness of authorities at home and abroad to end impunity for the corrupt. Asset recovery programs may also deter and hinder corruption. These development impacts may not be susceptible to direct measurement yet they are usually more important considerations

Development Goal	Impacts Expected	Indicators of Success (Means of verification)
Encourage and facilitate more systematic and timely return of assets stolen by politically exposed persons through acts of corruption	Increase in the number of developing countries with active asset recovery programs	☆ Number of countries initiating asset recovery activities and issuing requests for mutual legal assistance for corruption offenses (UNCAC and asset recovery reporting mechanisms)
	Institutional framework for asset recovery strengthened through improved international standards and the enactment of legislative and regulatory reforms	<ul style="list-style-type: none"> ☆ International standards incorporate additional measures to facilitate enhanced monitoring of PEPs and corporate transparency (FATF an UNCAC working group recommendations) ☆ Number of countries enacting legal and regulatory reforms to facilitate asset recovery (UNCAC and asset recovery reporting mechanisms)
	Increase in number and timeliness in processing of asset recovery cases	<ul style="list-style-type: none"> ☆ Number of countries sending a) mutual legal assistance requests b) freezing orders c) responding to mutual legal assistance requests and freezing orders (UNCAC and asset recovery reporting mechanisms) ☆ Reduction in the time taken from initial request from developing country to issuing of freezing order (asset recovery reporting mechanisms) ☆ Value of assets returned (StAR records, asset recovery reporting mechanism)

when launching an asset recovery program than the amount of money in cause. This is particularly important when prioritizing resources between programs and cases, since asset recovery initiatives can have a significant demonstration effect even where they are slow to secure the return of assets or even if they ultimately fail to do so. The launch of an investigation, the issuing and successful response to a request for mutual legal assistance, the freezing and confiscation of assets all represent victories in the fight against corruption and indicators of a successful asset recovery program. Recognition of these successes helps maintain momentum in a process that can take many years and where it is impossible to determine the prospects for the return of stolen funds at the start. StAR's results framework seeks to balance these considerations, reporting on the various steps in the asset recovery process as well as the concluding step when assets are returned.

3. Assessment of these development impacts is hampered by the lack of any comprehensive record or reporting system that can be used to construct a baseline or and monitor progress in asset recovery at a global level. StAR has constructed a partial record of on-going asset recovery cases, drawing on media reports and information shared from partner countries. However, the record is far from complete and much of the information presented is confidential and so cannot be used for reporting purposes. StAR is collaborating with OECD DAC and partner countries on the design of a reporting system that may help fill part of this gap by the end of 2010. Besides the lack of data, it is important to recognize that StAR is a recent start-up. It will take time to develop demand for StAR support on asset recovery initiatives in victim countries and asset recovery programs at the country level will take time to deliver results. Consequently, the indicators monitoring the asset recovery process are likely to be more helpful in terms of guiding StAR's work program than assessing performance during its pilot phase to 2010

4. StAR will contribute to the development goal by promoting innovation and institutional reforms that will facilitate asset recovery as well as providing support to partner countries' asset recovery programs. Institutional impacts are likely to be seen over the long-term. During the pilot phase, StAR will take the initial steps by developing and disseminating knowledge on institutional reforms that can facilitate asset recovery and promoting debate on these issues in international policy and standard-setting bodies. While StAR can support the implementation of institutional reforms directly in developing countries, StAR's contribution to reforms in the financial centers is likely to remain indirect. Again, the lack of a comprehensive reporting mechanism, documenting institutional and legislative arrangements for asset recovery across developing countries and financial centers hampers the use of these indicators for the purposes of monitoring progress. StAR will support the development of a reporting system within the framework of UNCAC with a view to establishing a baseline and monitoring progress in implementing reforms.

5. During StAR's pilot phase, progress in relation to StAR's immediate objectives will provide stronger basis for assessing performance than StAR's contribution to the longer-term development impacts. For the most part, the results indicators relate to outputs that are directly attributable to StAR. In some cases, these extend to activities undertaken by StAR's partners and their assessments of the quality and utility of StAR products. In addition to indicators used to monitor progress against specific outputs, the results framework also monitors StAR's effectiveness as a global program, particularly as regards the development of an effective partnership and the quality of collaboration between the Bank and UNODC. This assessment will

be particularly important in determining not only whether StAR should be extended beyond its initial pilot phase but also whether the additional costs of the partnership approach are justified.