



CHAIR'S STATEMENT BY THE KINGDOM OF MOROCCO AND THE UNITED KINGDOM OF THE SECOND MEETING OF THE ARAB FORUM ON ASSET RECOVERY,

MARRAKESH, 26-28 OCTOBER 2013

The Governments of the members of the Deauville Partnership, regional countries and other financial centres ¹ met in Marrakesh on 26-28 October, 2013, for the Second Meeting of the Arab Forum on Asset Recovery. The meeting was hosted by the Kingdom of Morocco, in cooperation with the United Kingdom as G-8 Presidency, with the invaluable partnership of the Stolen Asset Recovery initiative of the World Bank and UN Office on Drugs and Crime. Representatives of the Arab League, European Union, United Nations, UN Panel of Experts, Egmont Group, RRAG, International Centre for Asset Recovery, and the UN Special Advocate for Asset Recovery also participated.

Participants remained committed to the Deauville Partnership Action Plan on Asset Recovery, agreed in 2012, which established the Forum. Participants welcomed the opportunity to examine progress on asset recovery one year after the inaugural meeting of the Forum, hosted by the State of Qatar with the United States.

The Second Meeting of the Arab Forum on Asset Recovery was characterised by a spirit of constructiveness and openness. In addition to the plenary sessions and workshops, almost 70 bilateral meetings took place in the framework of the Forum. All participants agreed on the need to advance asset recovery work through partnership and joint endeavour. Returning assets sends a powerful signal for the future: corrupt politicians or senior officials can no longer get away with corruption for personal gain.

Participants agreed that we all have a responsibility to assist the people in the Arab countries in transition in the return of their stolen assets. Stolen assets not only represent the proceeds of crime but are funds which should have been invested in the Arab countries in transition for their development.

¹ Participants in the second meeting of the Arab Forum on Asset Recovery included the members of the Deauville Partnership (Canada, Egypt, the European Union, France, Germany, Italy, Japan, Jordan, Libya, , Morocco, Qatar, Russia, Saudi Arabia, Tunisia, Turkey, the United Arab Emirates, the United Kingdom and the United States, Yemen) as well as Algeria, Belgium, Iraq, Hong Kong, Lebanon, Liechtenstein, Malta, Spain, Singapore, South Africa, Switzerland, the Bailiwicks of Guernsey and Jersey, the British Overseas Territories of Bermuda, the Cayman Islands, the British Virgin Islands, and Gibraltar.

Discussion over the three days recognised that progress had been made as a result of the Forum's work. In particular participants valued:

- i. the steps taken by countries to improve their domestic coordination. Participants welcomed the establishment of asset recovery task forces in several jurisdictions – both requested and requesting – while recognising that there is no “one size fits all” approach to domestic coordination. The objective of domestic coordination should be to ensure that all the bodies of government share a common set of priorities and work towards a shared strategy.
- ii. the increased understanding of each others' legal arrangements provided by the publication of Asset Recovery Guides by many States.
- iii. the more proactive approach being taken to asset recovery. Several financial centres no longer waited for formal mutual legal assistance (MLA) requests before engaging in cooperation between investigators and were opening their own domestic investigations where possible. Dialogue before MLA requests are submitted saves time and significantly increases the chances of success.
- iv. efforts by several countries to review their legal frameworks to benefit from best practices in other jurisdictions and to ensure they can act diligently, effectively and efficiently on asset recovery. Strong legal frameworks and respect for the rule of law is paramount – both for preventing corruption and returning assets.
- v. commitments by G-8 countries and other jurisdictions to take steps to require that companies obtain and hold information on their true beneficial owners and ensure that this information is available in a timely fashion to law enforcement, tax collection agencies and other relevant authorities. Openness, transparency and shared responsibility are vital elements in our approaches to the challenges of asset recovery.
- vi. the progress made by jurisdictions to tackle problems posed by the transliteration of Arabic names into other scripts.
- vii. the pursuit of joint investigations bilaterally and multilaterally.
- viii. the important role played by pre-MLA cooperation through international asset recovery practitioner networks. Contacts between Financial Intelligence Units (FIUs) and other investigative bodies were thought to be particularly valuable.
- ix. the technical assistance and capacity building provided through the three Special Sessions of the Forum, through in-country work by StAR, and through bilateral assistance programmes. Countries have different capabilities and experiences and technical assistance activities therefore need to be drawn up in partnership with those countries benefitting from the planned activity. In particular countries in the region who have led successful political and economic reforms could constitute a valuable source of technical support.
- x. the positive impact of the Deauville Partnership Asset Recovery Action Plan agreed in 2012. We remained committed to continued progress in accordance with the plan and welcomed the roadmaps published by G8 countries in that context.

- xi. the role that civil society can play in fighting corruption and assisting asset recovery efforts.
- xii. the participation in the Forum for the first time by additional jurisdictions and hoped they would continue to participate actively in the Forum's work.

Participants expressed their gratitude to the Kingdom of Morocco for their kind hospitality and generosity in hosting the meeting.

Looking forward, participants of the meeting reiterated their view of the value of the Arab Forum on Asset Recovery and offered some views on potential areas for future activity:

- i. Forum participants need to continue to build greater partnership and trust between requesting and requested jurisdictions. There is no alternative to progressing carefully through evidence-based legal processes.
- ii. Bilateral contacts on specific cases should continue wherever possible between sessions of the Forum.
- iii. Forum members which have not done so already, including those seeking the return of assets, should continue to be encouraged to publish asset recovery guides.
- iv. StAR should be asked to develop with beneficiary countries country-specific needs assessments and a multi-year work programme of in-country technical assistance and capacity building.
- v. G8 countries should finalise proposals on transliteration and share practical steps with other members of the Forum.
- vi. the private sector should be included in future dialogue on transparency aspects of asset recovery.
- vii. Forum participants shall encourage greater trust building and pre-MLA cooperation and information sharing between law enforcement officials before submitting MLA requests. This could potentially involve the use of multilateral asset recovery networks, learning from experience in other regions. Participants looked forward to meeting again under the auspices of the Forum to discuss these and other related issues, while continuing to make progress domestically, bilaterally and through other regional and multilateral fora in the interim.