**Concept Note:**

 **Arab Forum on Asset Recovery**

**Special Session I**

**April 02 - 04, 2013;**

**Location: Center for Rule of Law and Anti-Corruption, Doha, Qatar**

1. **Background:**

The Arab Forum on Asset Recovery (hereinafter referred to as the “Arab Forum”) is an initiative to bring together the Arab Countries in Transition, the G8 and other financial centers as well as regional 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.

The Arab Forum was organized within the overall framework of the G8 Partnership with Arab Countries in Transition. In this context an Action Plan on Asset Recovery was adopted in 2012 to assist the current efforts of several Arab Countries in Transition to trace and recover assets stolen by former regimes, including *through periodic meetings and other activities*, and with the support and involvement of the regional partners.

The first meeting of the Arab Forum on Asset Recovery was held in Doha, Qatar from September 11 to 13, 2012 and was attended by over 200 representatives from over 25 countries[[1]](#footnote-2). The meeting was co-organized by the State of Qatar and the United States presidency of the G8, with technical support from the StAR initiative. The report of the inaugural meeting is available at:

<http://star.worldbank.org/star/sites/star/files/report_arab_forum_on_asset_recovery.pdf>

Following the success of the first Arab Forum, a work plan has been put together to carry forward the momentum, through several special sessions to be organized prior to the second Arab Forum on Asset Recovery, planned for October 2013. Specifically, the work plan outlines three special sessions which will focus on concrete technical challenges that emerged during the first Arab Forum on Asset Recovery as well as in the context of ongoing casework as well as technical assistance provided by multiple partners to Egypt, Libya and Tunisia.

Based on a hypothetical case study, Special Session I will focus on two priority concerns; domestic coordination of asset recovery efforts and how to put into practice the asset recovery guides produced by the G8 countries and Switzerland to seek assistance from these countries through non-MLA and MLA requests. It is anticipated that Special Session II will focus on financial investigations, while Special Session III will focus on the role of civil society in asset recovery. The Special Sessions will feed into the second Arab Forum meeting to be held in October 2013.

This is a concept paper for the Special Session I of the Arab Forum on Asset Recovery (hereinafter referred to as “Special Session I”).

1. **Objectives:**

The objectives of Special Session I are to:

* Share good practices and lessons learned for domestic coordination, including identifying and making use of ways for components to work with each other toward asset recovery;
* Develop skills in formulating an investigative plan for asset recovery cases;
* Train asset recovery practitioners on the effective use of the asset recovery guides produced by the G8 countries and Switzerland. The country guides are available on the StAR Arab Forum website: <http://star.worldbank.org/star/ArabForum/country-guides-asset-recovery-0>
* Develop skills to plan and draft a formal Mutual Legal Assistance (MLA) request.
* Provide a platform for bilateral and multilateral side-meetings between the countries seeking asset recovery and the various G8, Partner and Regional countries.
1. **Proposed content and method of delivery:**

The content for Special Session I will be developed by StAR in coordination with the Center for Rule of Law and Anti-Corruption in Qatar and the trainers (see below), who will also be responsible for the delivery of the training.

* 1. **Good practices in advancing domestic coordination**

The special session would also provide a platform to exchange experiences - successes and challenges in domestic coordination of asset recovery efforts and identify best practices. Such efforts include making best use of comparative advantages of different domestic agencies, the development of inter-agency coordination strategies and of investigative plans at the outset of large scale asset recovery efforts/cases.

* The session would feature hypothetical case-based exercises on domestic coordination and the development of the basic elements of an interagency investigative plan;
* A panel discussion of challenges and best practices – *the do’s and don’ts of domestic coordination* - by experts from Brazil, South Africa, Tunisia and the U.K.
* The audience will be invited to discuss specific challenges they face in domestic coordination.
	1. **Developing asset recovery strategies (investigative plans) and use the Country Guides on Asset Recovery**

In the context of the Arab Forum and the Action Plan on Asset Recovery, G8 countries developed country guides on asset recovery, which are available online at <http://star.worldbank.org/star/ArabForum/country-guides-asset-recovery-0>.[[2]](#footnote-3)

Based on hypothetical case scenarios, the training workshop would engage participants in a series of practical exercises applying the knowledge in the guides, (1) information gathering and cooperation through non-MLA (informal) requests and (2) obtaining mutual legal assistance (MLA) through formal requests.

* Case based exercise on the development of investigative plans;
* Making effective use of the asset recovery guides produced by the U.K., USA, Switzerland and France
* In addition to familiarizing countries with the use of the guides, it would provide an opportunity to test the extent to which the guides meet practitioners’ needs and to identify areas for refinement.
	1. **How to draft a Mutual Legal Assistance request**

Special Session I would further provide participants with specific skill and techniques in drafting effective mutual legal assistance requests. Based on a case study, the session will engage participating practitioners in the exercise of drafting mutual legal assistance requests to select G8 countries, making use of the country guides and the presence of experts (facilitators) from these countries.

1. **Beneficiaries:**

The proposed countries to benefit from the training are Egypt, Libya, Tunisia and Yemen. The audience will be constituted of delegations from each of these countries. It is recommended that each country delegation would be composed of 5-6 practitioners including representatives of the financial intelligence unit (FIU), investigators (police, anti-corruption agency), prosecutors and central authorities in charge of MLA requests.

1. **Resource Persons:**
	1. **Facilitators**

The training would be coordinated by StAR and the Center for Rule of Law and Anti-Corruption in Qatar and a set of four core trainers from U.K., U.S.A, France, and Switzerland; who will be responsible for preparing, moderating and delivering the content of the training.

Once trainers have been identified, they will assist in the developing and vetting of the agenda and the case based exercises for Special Session I.

* 1. **Other resource persons**

With the purpose of facilitating networking among practitioners and provide an opportunity for bilateral and multilateral side meetings, invitations would also be extended to one resource person (practitioners only,) - from each of the following countries: Brazil, Canada, Cyprus, Germany, Iraq, Italy, Japan, Jordan, Lebanon, Morocco, Russia, Saudi Arabia, South Africa, Spain, UAE.

1. Countries who participated in the first meeting of the Arab Forum on Asset Recovery included 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 as well as Bahrain, Belgium, Iraq, Lebanon, Liechtenstein, Oman, Spain, South Africa, Switzerland, Yemen and the Bailiwicks of Guernsey and Jersey. [↑](#footnote-ref-2)
2. Guides are available in English, French and Arabic (except Germany’s guide, which is available in German and Arabic). The Swiss Guides and the U.S Guide are also available in additional languages. In doing so, these guides are accessible to as broad an audience as possible. [↑](#footnote-ref-3)