



Concept Note:

Arab Forum on Asset Recovery Special Session II

June 11-13 2013; Location: Sharm el Sheikh, Egypt.

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 as well as other financial centers and regional countries for a multi-faceted effort as to raise awareness of effective measures for asset recovery, provide a forum for regional training and discussion of best practices on practical cases, and identify 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, the 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 was held in Doha, Qatar from September 11 to 13, 2012 and was attended by over 200 representatives from over 25 countries¹. 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

¹ Countries participating in the Arab Forum on Asset Recovery included the countries of the Deauville Partnership (Canada, Arabic Republic of 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.

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 specific technical challenges that emerged during the first Arab Forum on Asset Recovery as well as in the context of ongoing casework and assistance provided by StAR to Egypt, Libya and Tunisia.

Special Session I dealt with issues relating to the domestic coordination of asset recovery efforts and on how to put into practice the asset recovery guides produced by the G8 countries and Switzerland, while Special Session II focuses on how to conduct efficient and productive financial investigations, and Special Session III will focus on the role of non-state actors, including the media, in asset recovery. The Special Sessions feed into the second Arab Forum meeting to be held in October 2013.

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

2. Objectives:

Special Session II trains participants on key elements of financial investigations, by providing them skills, methods and tools relevant to the identification and tracing of assets. Furthermore, this Session aims to further deepen the policy dialogue and case consultations among all participants (Arab Forum countries, G8 Countries, Partner/s and Regional countries) to strengthen their cooperation.

Therefore, the objectives of Special Session II can be summarized as follow:

- Learn good institutional practices from the different countries in regard of financial investigations, including participation in practitioners networks (such as the Interpol-StAR Focal Points network and others);
- Introduce result oriented strategies to design and lead financial investigations involving multiple targets, assets and jurisdictions and to establish a clear links between corrupt acts and their proceeds;
- Enable participants to develop and consider a number of angles that might be taken to conduct financial analysis and investigations;
- Learn tools that can be used for a successful approach of financial investigations (i.e. bank accounts analysis, tracing of assets and visualization of results);
- Provide a platform for bilateral and multilateral side-meetings between the countries seeking asset recovery and the various G8, Partner and Regional countries.

3. Proposed content and method of delivery:

The content for Special Session II is developed by StAR in coordination with the G8 focal points and other identified resource persons, who are responsible for the delivery of the training and presentation. The content of the session is developed primarily around a

practical case study requiring participants to work in small groups (investigative teams) through the various steps of a financial investigation, making use of existing tools and channels for informal information exchange, as well as the establishment of multi-jurisdictional joint investigations. The practical exercise is interspersed with presentations on core subjects.

A) Case based exercise on financial investigations (“Building the case”)

Based on hypothetical case examples, the workshop engages the participants in a mix of tool presentation and their practical use. The workshop gives participants key concepts on:

- Joint investigations and investigation planning;
- Bank account analysis and use of forensic accounts;
- File and exhibit management;
- Case prioritization;
- Case presentation and charting (with use of e-tools to illustrate the information gathered);
- Witness identification and interviewing;
- Techniques of surveillance;
- Use of informal channels (bilateral and via networks such as the Interpol-StAR Focal Points) and open sources, for cooperation and connection with relevant counterparts, through formal and informal requests.

B) Sharing of experience: good practices and challenges in regard of financial investigations

The second part of the session provides a platform to exchange experiences (successes and challenges) in financial investigations conducted by the countries, with the identification of best practices and regulatory concerns. On the basis of a presentation made by representatives of G8 as well as Regional countries on financial investigations, participants are invited to discuss good practices and challenges they have faced in this regard when dealing with asset recovery cases.

- The session features a general presentation on financial investigations as an interactive tool to engage talks between participants;
- The audience is invited to openly discuss both the practical and regulatory challenges they face (such as, but not limited to, record keeping obligations, confidentiality and secrecy, and relations between law enforcement requirements and financial institutions) and how the relevant international regulatory framework may serve to find proper solutions.

4. Audience:

The proposed countries to benefit from the training are Egypt, Libya, Tunisia and Yemen. The audience consists of delegations from each of these countries. It is recommended that each country delegation is composed of 4-5 practitioners including representatives of the financial intelligence unit (FIU), investigators (police, anti-corruption agency) and prosecutors (where they have investigative powers)

5. Resource Persons:

The training is coordinated by StAR, the G8 Presidency, State of Qatar and the host and a set of trainers from some identified G8 as well as Regional Countries who are responsible for moderating and delivering the content of the training.

a. Trainers

The resources persons are provided by StAR, G8 and other partner countries. Regarding the use of forensic accountants, presentation by experts in the field is productive and supports effectively the case study.

b. Other participating experts

With the purpose of facilitating networking among practitioners and provide an opportunity for bilateral and multilateral side meetings, invitations are also extended to one resource person (practitioners only, preferably financial investigators) from each of the following countries: G8 members, Cyprus, Guernsey, Iraq, Jersey, Jordan, Lebanon, Liechtenstein, Morocco, Saudi Arabia, Spain, Switzerland and the UAE.