



Asset Recovery Handbook

A Guide for Practitioners, *Second Edition*

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Asset Recovery Handbook A Guide For Practitioners Star Initiative

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Stapenhurst**



Asset Recovery Handbook A Guide For Practitioners Star Initiative:

Asset Recovery Handbook Jean-Pierre Brun, Larissa Gray, Clive Scott, Kevin Stephenson, 2011-01-18 This handbook is designed as a how to manual that guides practitioners as they grapple with the strategic organizational investigative and legal challenges of recovering assets that have been stolen by corrupt leaders and hidden abroad *Asset Recovery Handbook* The World Bank, 2021 The Asset Recovery Handbook is a practical tool to help policymakers public officials and those who have been entrusted with recovering stolen assets by informing them on how to pursue proceeds of corruption and navigate the challenges of international asset recovery

Asset Recovery Handbook Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott, Kevin M. Stephenson, 2021-02-08 Developing countries lose billions each year through bribery misappropriation of funds and other corrupt practices Much of the proceeds of this corruption find safe haven in the world's financial centers These criminal flows are a drain on social services and economic development programs contributing to the impoverishment of the world's poorest countries Many developing countries have already sought to recover stolen assets A number of successful high profile cases with creative international cooperation has demonstrated that asset recovery is possible However it is highly complex involving coordination and collaboration with domestic agencies and ministries in multiple jurisdictions as well as the capacity to trace and secure assets and pursue various legal options whether criminal confiscation non conviction based confiscation civil actions or other alternatives This process can be overwhelming for even the most experienced practitioners It is exceptionally difficult for those working in the context of failed states widespread corruption or limited resources With this in mind the Stolen Asset Recovery StAR Initiative has developed and updated this Asset Recovery Handbook A Guide for Practitioners to assist those grappling with the strategic organizational investigative and legal challenges of recovering stolen assets A practitioner led project the Handbook provides common approaches to recovering stolen assets located in foreign jurisdictions identifies the challenges that practitioners are likely to encounter and introduces good practices It includes examples of tools that can be used by practitioners such as sample intelligence reports applications for court orders and mutual legal assistance requests StAR the Stolen Asset Recovery Initiative is a partnership between the World Bank Group and the United Nations Office on Drugs and Crime that supports international efforts to end safe havens for corrupt funds StAR works with developing countries and financial centers to prevent the laundering of the proceeds of corruption and to facilitate more systematic and timely return of stolen assets

The Puppet Masters Emile van der Does de Willebois, J.C. Sharman, Robert Harrison, Ji Won Park, Emily Halter, 2011-11-01 This report examines the use of these entities in nearly all cases of corruption It builds upon case law interviews with investigators corporate registries and financial institutions and a mystery shopping exercise to provide evidence of this criminal practice

[Global Anti-Money Laundering Regulation](#) Nkechikwu Azinge-Egbiri, Nicholas Ryder, Ehi Eric Esoimeme, 2024-11-25 This book explores the politics of money laundering and terrorist financing ML TF regulation in

several countries across Africa and the Small Island States Developed countries created the Financial Action Task Force FATF to combat ML TF globally Expectedly the FATF s standards mirror existing banking regulations within the G7 countries Yet the standards apply to all countries irrespective of the limited ML TF risks they pose to the global economy their weak pre conditions for effective regulation and their non involvement in the FATF s framing Still such countries mainly within the Global South have worked hard to amplify their compliance with the regime due to fears of the repercussions of their non compliance This collection demonstrates how the global ML TF regulation is treated as an implicitly superior legal regime where the Global South must comply irrespective of their perception of the FATF s legitimacy challenges It shows that beyond exogenous factors such as neo colonialism endogenous factors such as weak institutions and corruption undermine the compliance trajectory of the Global South Furthermore it analyses the unintended consequences of transplanting FATF standards into diverse legal and cultural contexts The volume contributes to our understanding of the challenges of transplantation from the Global North and how the Global South is steering within the constraints created by the FATF It advocates for a comprehensive understanding of the nuanced compliance challenges of developing countries It further proposes practical solutions to address them emphasizing the importance of risk based understanding accountability capacity building and coordination in achieving effective anti money laundering and counter terrorist financing measures The collection will be essential reading for researchers academics and policy makers working in financial crime regulation and international economic law

Handbook of Global Research and Practice in Corruption Adam Graycar, Russell G. Smith, 2011-01-01 Graycar and Smith s excellent edited volume studies corruption as a pervasive global phenomenon The chapters move from general overviews to in depth studies of corruption prone sectors such as forestry financial markets public procurement and trade in diamonds and art The volume is an important contribution to the international study of corruption that mixes scholarly analysis with practical recommendations for the control and prevention of corruption both international initiatives and country or sector specific policies Susan Rose Ackerman Yale Law School US Corruption is on top of the agendas of practitioners and scholars in public administration all over the world This volume addresses questions no one can neglect and comes up with answers we should not miss Leo Huberts VU University Amsterdam The Netherlands This Handbook will serve as an invaluable resource for scholars students and public officials interested in understanding corruption and its control James B Jacobs NYU School of Law US Corruption is a global phenomenon with costs estimated to be in the trillions of dollars This source of original research and policy analysis deals with the most important concepts and empirical evidence in foreign corrupt practices globally Handbook of Global Research and Practice in Corruption includes research from all continents and provides a critical analysis of the key issues of corruption and its control Through rigorous analysis and theoretical foundations this book provides a multi disciplinary and international account of corruption from the perspectives of public policy criminal law and criminology as well as considering principles of prevention and control in both

the public and private sectors With original and empirical analyses this unique book will appeal to academics researchers and students in international business and international law staff of crime and corruption commissions and police integrity agencies as well as international organisations such as the World Bank IMF Transparency International and the World Economic Forum

Taxing Crime Jean-Pierre Brun, Ana Gomez, Rita Julien, Joy Ndubai, Jeffrey Owens, Siddhesh Rao, Yara Soto, 2022-08-18 Taxing Crime A Whole of Government Approach to Fighting Corruption Money Laundering and Tax Crimes examines how tax audits and investigations can lead to uncovering white collar crime and how investigations of corruption can in turn lead to prosecutions of tax evasion or recovery of unpaid taxes Prepared jointly by the World Bank and the United Nations Office on Drugs and Crime UNODC Stolen Asset Recovery Initiative StAR and the Global Tax Policy Center at the Institute for Austrian and International Tax Law Vienna University of Economics and Business this report offers analysis case studies examples of legal and operational frameworks and recommendations that policy makers can use to enhance cooperation between tax authorities and law enforcement agencies at the national and international levels This study is designed to serve as a reference and source of advocacy for policy makers but it may be useful to other practitioners as well including law enforcement officials investigating magistrates and prosecutors Specifically chapters present strategic considerations for establishing communication channels between tax and criminal investigative agencies suggestions for combining tax and financial crime prosecution as part of an interagency asset recovery strategy and approaches to developing interagency information exchange at the regional and international levels It concludes with recommendations on ways to enhance the roles of both the tax authorities in combating money laundering and corruption and of the law enforcement authorities in recovering the proceeds of tax crimes Chapter 1 provides an introduction Chapter 2 presents strategic considerations for establishing information exchange channels between tax and criminal investigative agencies Chapter 3 explains how to combine tax and financial crime prosecution as part of an interagency asset recovery strategy Chapter 4 discusses approaches to developing interagency information exchange at the regional and international levels Chapter 5 provides recommendations for future efforts to enhance the role of tax authorities in supporting efforts to combat money laundering and corruption and the role of law enforcement authorities in the recovery of proceeds of tax crimes The appendix contains case studies that illustrate effective interagency cooperation including at the international level

Civil Recovery of Criminal Property Colin King, Jennifer Hendry, 2023-07-18 Follow the money approaches are increasingly being adopted to tackle organized crime corruption and terrorist activities The rationale behind such an approach is oft stated to show that crime does not pay to reinforce confidence in a fair and effective criminal justice system and to deter criminal activity Civil Recovery of Criminal Property is an in depth analysis of the confiscation of the proceeds of crime in the absence of criminal conviction in Ireland and England Wales more than two decades since the introduction of this civil criminal hybrid procedure This book considers the development of civil recovery in both jurisdictions providing a comprehensive comparative

account and critical examination of its legislative context and framework judicial reception and case law development It leads the argument that civil recovery like other civil criminal hybrids straddles civil and criminal procedure in a manner that takes advantage of the resultant legal ambiguity to the detriment of due process civil liberties and human rights Through interviews with practitioners professionally engaged with civil recovery proceedings both in defence and in enforcement King and Hendry remedy what has until now been a lack of empirical engagement with the operation of civil recovery in practice The authors provide a comprehensive analysis of civil recovery in terms of its procedural hybridity its follow the money approach its questionable compliance with the requirements of due process its property specific character and its supposed pragmatism in tackling the problem of serious and organized crime Blending doctrinal socio legal and theoretical perspectives Civil Recovery of Criminal Property will appeal both to academics and practitioners engaged with civil recovery

Corruption and Misuse of Public Office Colin Nicholls QC, Timothy Daniel, Alan Bacarese, John Hatchard, 2011-09-29

This book provides a comprehensive and detailed analysis of the law relating to corruption and misuse of public office including specialist issues such as whistleblowing This new edition covers major developments in the area since the publication of the first edition and includes full coverage of the Bribery Act 2010 *Orders Without Borders* Stefano Betti, Vladimir Kozin, Jean-Pierre Brun, 2022-06-15 This book offers an in depth analysis of the concept of the direct enforcement of foreign restraint and confiscation orders a crucial step in the process of asset recovery including existing legal approaches and related challenges In order to provide a balanced and informed overview 31 jurisdictions representing different United Nations regional groups and legal systems civil law common law mixed systems were selected as the focus of the analysis This approach provides a meaningful picture of the situation worldwide from which generally applicable guidance could be drawn The study suggests a series of practical steps and good practices for consideration by 1 countries exploring the possibility of introducing a direct enforcement mechanism into their domestic legal frameworks and 2 countries that are already in a position to directly enforce foreign confiscation orders but that are considering options to streamline processes and maximize results obtainable via direct enforcement approaches This new StAR Initiative knowledge product is addressed to a broad range of law enforcement justice and asset recovery practitioners as well as bodies involved in legislative and regulatory processes It will be a useful tool in their work **A Resource Guide on State Measures for**

Strengthening Business Integrity OECD, United Nations, 2024-03-26 Where anti corruption efforts were previously the domain of governments the private sector has increasingly become an essential actor representing a significant paradigm shift from the early days of anti corruption policy development This Resource Guide provides States with a framework for identifying and implementing an appropriate mix of sanctions and incentives for encouraging business integrity It reflects the latest developments in the global anti corruption landscape and contains case studies that serve to share information and practices and provide inspiration to States and the private sector **Left Out of the Bargain** Jacinta Anyango

Oduor, Francisca M.U. Fernando, Agustin Flah, Dorothee Gottwald, Jeanne M. Hauch, Marianne Mathias, Ji Won Park, Oliver Stolpe, 2013-12-11 Over the past decade countries have increasingly used settlements that is any procedure short of a full trial to conclude foreign bribery cases and have imposed billions in monetary sanctions There exists a gap in knowledge however regarding settlement practices around the world and the disposition of these monetary sanctions notably through the lens of recovery of stolen assets Left out of the Bargain a study by the Stolen Asset Recovery Initiative StAR provides an overview of settlement practices by civil and common law countries that have been active in the fight against foreign bribery Using the United Nations Convention against Corruption UNCAC as its point of reference the study addresses concerns voiced by the international community What happens to the money associated with the settlements and is it being returned to those most directly harmed by the corrupt practices And what can be done to assist those countries harmed by foreign bribery Left out of the Bargain has found that 395 settlement cases took place between 1999 and mid 2012 resulting in a total of US 6.9 billion in monetary sanctions imposed against companies and individuals Of this amount nearly US 6 billion came from settlements that took place in a country different from that of the allegedly bribed foreign public officials But only about US 197 million or 3 percent has been returned or ordered returned to the countries whose officials were accused of accepting bribes Left out of the Bargain urges countries whose officials were allegedly bribed to intensify their efforts to investigate and prosecute the providers and recipients of foreign bribes hence improving these countries prospects for recovery of assets lost through corruption The study also calls for more proactive international cooperation and coordination to ensure that all affected countries are afforded the opportunity to seek redress for harms suffered and for the recovery of assets thus fulfilling the principles set out in UNCAC

Few and Far The Hard Facts on Stolen Asset Recovery

OECD, The World Bank, 2014-09-11 Drawing on data collected between 2006 and 2012 the report provides recommendations and good practices regarding stolen asset recovery and suggests specific actions for development agencies

Corruption and Legislatures Riccardo Pelizzo, Frederick Staphenurst, 2014-05-09 This book investigates parliaments role in curbing corruption In addition to discussing the definition causes and costs of corruption and the role that parliaments have in reducing corruption the authors consider contemporary issues that parliamentarians and others need to be aware of These include the importance of broad based coalitions to fight corruption and networking at the country regional and global level the importance and difficulties of establishing parliamentary codes of ethics conduct legislative oversight tools and mechanisms and regional international conventions against corruption Attention will also be given to parliaments and anti money laundering

Corruption and Legislatures presents a non technical review of contemporary issues and recent developments in curbing corruption and concludes with practical advice as to what can be done to ensure more effective parliamentary involvement in curbing corruption

Cyber Laundering: International Policies And Practices Nathalie Rebe, 2023-01-12 This book illustrates current cyber laundering practices and the underlying risks associated with them such

as cross border crimes and terrorism financing Despite the existence of international regulations and strong worldwide cooperation countermeasures and international response efforts are often hindered by enforcement and jurisdictional issues as well as online asset recovery complexity This work investigates the blockages to the accomplishment of cyber laundering regulation and enforcement at the international level It provides strong legal recommendations for fostering the construction of more efficient means of legal implementation

The Palgrave Handbook of Criminal and Terrorism Financing Law Colin King, Clive Walker, Jimmy Gurulé, 2018-05-04 The Palgrave Handbook of Criminal and Terrorism Financing Law focuses on how criminal and terrorist assets pose significant and unrelenting threats to the integrity security and stability of contemporary societies In response to the funds generated by or for organised crime and transnational terrorism strategies have been elaborated at national regional and international levels for laws organisations and procedures and economic systems Reflecting on these strands this handbook brings together leading experts from different jurisdictions across Europe America Asia and Africa and from different disciplines including law criminology political science international studies and business The authors examine the institutional and legal responses set within the context of both policy and practice with a view to critiquing these actions on the grounds of effective delivery and compliance with legality and rights In addition the book draws upon the experiences of the many senior practitioners and policy makers who participated in the research project which was funded by a major Arts and Humanities Research Council grant This comprehensive collection is a must read for academics and practitioners alike with an interest in money laundering terrorism financing security and international relations

Few and Far Larissa Gray, Kjetil Hansen, Pranvera Recica-Kirkbride, Linnea Mills, 2014-08-29 This joint publication of the World Bank UNODC Stolen Asset Recovery StAR Initiative and the Organisation for Economic Co operation and Development OECD reports on how OECD countries are performing on asset recovery It provides examples of good practices and recommendations for development agencies and other practitioners on achieving results

The Mutual Review of Development Effectiveness in Africa 2012 Promise and Performance OECD, United Nations Economic Commission for Africa, 2012-05-10 The Mutual Review of Development Effectiveness is an exercise in mutual accountability undertaken jointly by the UNECA and the OECD following a request of NEPAD Heads of State and Government in 2003

Capital Flight from Africa Simeon Idayo Ajayi, Léonce Ndikumana, 2015 A comprehensive thematic analysis of capital flight from Africa it covers the role of safe havens offshore financial centres and banking secrecy in facilitating illicit financial flows and provides rich insights to policy makers interested in designing strategies to address the problems of capital flight and illicit financial flows

Rethinking EU Law-making Policy on Confiscation of the Proceeds of Crime Ariadna H. Ochnio, 2025-05-30 The book provides a critical analysis of EU law making policy on the confiscation of the proceeds of crime using a minimalist restorative approach to justice focused on the rights of victims and communities and more proactive roles for all participants in confiscation procedures This book shows how the examined policy has been translated into the EU law standards adopted

as its realisation and whether the gaps identified in these standards are reflected in the domestic law of the comparator EU jurisdictions Poland Germany and France The post conviction confiscation regime in England and Wales is also explored as an example of an alternative non EU model of value based confiscation Considering the complex juridical nature of confiscation which challenges the applicability of the civil criminal dichotomy this book recommends a twofold approach when shaping EU confiscation mechanisms focused on linking policy objectives with a restorative approach to justice and making the appropriate choice of criminal or civil routes for confiscation This book will be of key interest to scholars students and practitioners in EU policy and law criminal law EU and national law on confiscation EU criminal justice policy and more broadly to European studies criminology and international organisations

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