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The
G20 Research Group
at Trinity College at the Munk School of Global Affairs in the University of Toronto
presents the

2015 G20 Antalya Summit Final Compliance Report

16 November 2015 to 3 September 2016

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“The University of Toronto ... produced a detailed analysis to the extent of which each G20 country has met its commitments since the last summit ... I think this is important; we come to these summits, we make these commitments, we say we are going to do these things and it is important that there is an organisation that checks up on who has done what.”

— *David Cameron, Prime Minister, United Kingdom, at the 2012 Los Cabos Summit*

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Preface

Since the G20 leaders met at their first summit in 2008 in Washington, the G20 Research Group at the University of Toronto and the Center for International Institutions Research of the Russian Presidential Academy of National Economy and Public Administration (RANEPA), formerly with the International Organizations Research Institute at the National Research University Higher School of Economics (HSE), in Moscow have produced reports on their progress in implementing the priority commitments made at each summit. These reports monitor each G20 member's efforts to implement a carefully chosen selection of the many commitments produced at each summit. The reports are offered to the general public and to policy makers, academics, civil society, the media and interested citizens around the world in an effort to make the work of the G20 more transparent, accessible and effective, and to provide scientific data to enable the meaningful analysis of the causes of compliance and the impact of this important informal international institution. Previous reports are available at the G20 Information Centre at <http://www.g20.utoronto.ca/analysis>.

The G20 Research Group has been working with Marina Larionova's team at RANEPA and previously at HSE since initiating this G20 compliance research in 2009, after the Washington Summit in November 2008. The initial report, covering only one commitment made at that summit, tested the compliance methodology developed by the G8 Research Group and adapted it to the G20.

To make its assessments, the G20 Research Group relies on publicly available information, documentation and media reports. To ensure accuracy, comprehensiveness and integrity, we encourage comments from stakeholders. Indeed, scores can be recalibrated if new material becomes available. All feedback remains anonymous. Responsibility for the contents of this report lies exclusively with the authors and analysts of the G20 Research Group. Due to extenuating circumstances, stakeholders had limited time to submit feedback. This report reflects feedback submitted as of 5 September 2016. It includes seven commitments that could not be distributed for stakeholder feedback.

The interim report, published in July 2016, assessed performance by G20 members with 10 priority commitments among the total of 113 commitments made at the 2015 Antalya Summit, held on 15-16 November 2015. It covered the first part of China's G20 presidency up to 5 April 2016.

This final report assesses performance by G20 members on those same 10 commitments plus the seven that did not receive stakeholder feedback, for a total of 17.

I am most grateful to Sarah Scott and our G20 Research Group team, as well as Marina Larionova, Mark Rakhmangulov and their team in Moscow at RANEPA.

Professor John Kirton
Co-director, G20 Research Group

17. Crime and Corruption: Asset Recovery

Note: This commitment has not been sent out for stakeholder feedback.

[We will further work to strengthen international cooperation, including where appropriate and consistent with domestic legal systems, on civil and administrative procedures, as an important tool] to support asset recovery

Antalya Leaders' Communiqué

Assessment

Country	No Compliance	Work in Progress	Full Compliance
Argentina		0	
Australia		0	
Brazil		0	
Canada		0	
China		0	
France		0	
Germany		0	
India		0	
Indonesia		0	
Italy		0	
Japan		0	
Korea		0	
Mexico		0	
Russia		0	
Saudi Arabia		0	
South Africa		0	
Turkey		0	
United Kingdom			+1
United States			+1
European Union			+1
Average		+0.15	

Background

In June 2012 the G20 Anti-Corruption Working Group (ACWG) published assets tracing country profiles on all G20 member-countries.²⁷⁴⁵ At the 2014 G20 Brisbane Summit all G20 member-countries published G20 asset recovery guides.²⁷⁴⁶ The ACWG led the G20 anti-corruption efforts coordinating the collective and national actions taken by its members. The ACWG actively works with the World Bank Group, the Organisation for Economic Co-operation and Development, the United Nations Office on Drugs and Crime, the International Monetary Fund and the Financial Action Task Force, as well as with the Business 20 (B20) and the Civil Society 20 (C20). The World

²⁷⁴⁵ G20 Assets Tracing Country Profiles, World Bank. Date of access: 30 August 2016.

http://star.worldbank.org/star/sites/star/files/assets_tracing_country_profiles_acwg.pdf

²⁷⁴⁶ G20 Asset Recovery Country Guides, World Bank. Date of access: 30 August 2016.

<http://star.worldbank.org/star/about-us/g20-anti-corruption-working-group>.

Bank and the UNODC are also involved in the ACWG through the active participation and contribution of Stolen Asset Recovery Initiative (StAR) to its work.²⁷⁴⁷

Commitment Features

Members can support asset recovery through bilateral relations with certain countries and international multilateral mechanisms. One of the key international mechanisms on asset recovery is the StAR, which is a partnership between the World Bank Group and the UNODC 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. There are also regional multilateral institutions engaged in asset recovery. To get a score of +1 member must comply with both parts of the commitment.

Scoring Guidelines

-1	Member takes no actions to support asset recovery.
0	Member takes actions to support asset recovery through its bilateral relations with certain countries OR participation in multilateral institutions.
+1	Member takes actions to support asset recovery through its bilateral relations with certain countries AND participation in multilateral institutions.

Argentina: 0

Argentina has partially complied with the commitment to support asset recovery.

Argentina is a member of the Red de Recuperacion de Activos de Gafisud (RRAG), which is the network on asset recovery for Spanish speaking countries (Argentina, Bolivia, Brazil, Chile, Colombia, Costa Rica, Ecuador, Mexico, Panama, Paraguay, Peru and Uruguay). Argentina also hosts its secretariat at the Gafisud headquarters.²⁷⁴⁸

On 12 May 2016, during the 2016 Anti-Corruption summit in London, Argentina committed to enforce and ratify international conventions in cooperation and mutual legal or judicial assistance in the seizing, identifying, recovery and confiscation of assets derived from corruption and money laundering.²⁷⁴⁹

Argentina has taken actions to support asset recovery through participation in multilateral institutions but not through its bilateral relations with certain countries. Thus, it is awarded a score of 0.

Analysts: Dariya Zhdanova & Irina Popova

Australia: 0

Australia has partially complied with the commitment to support asset recovery.

Australia is a member of Camden Assets Recovery Inter-Agency Network (CARIN) which is an informal network supported by a permanent secretariat supplied by Europol and serves as a means to exchange information on the best approaches to trace and recover proceeds of all crimes, including

²⁷⁴⁷ G20 Anti-Corruption Working Group, World Bank. Date of access: 30 August 2016.
<http://star.worldbank.org/star/about-us/g20-anti-corruption-working-group>.

²⁷⁴⁸ "Toward an effective asset recovery regime: networks", United Nations document CAC/COSP/WG.2/2011/3. <http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2011-August-25-26/V1183994e.pdf>

²⁷⁴⁹ Anti-Corruption Summit – London 2016: Argentina's Commitments, the UK Government. Date of access: 1.09.2016.
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522967/Argentina.pdf

corruption. Its members and observers are 49 geographically widespread countries and nine global and regional organizations, including: Europol, Egmont Group, Eurojust, International Criminal Court, International Monetary Fund, Interpol, OLAF, United Nations Office on Drugs and Crime (UNODC) and the World Bank.²⁷⁵⁰

On 17 April 2016, Australia became a party to Grant Agreement—UNODC—Asia-Pacific Joint Action towards a Regime against Corruption and UN Pacific Regional Anti-Corruption Project (UN-PRAC) Phase II. The objective of this project is to advance the ratification and implementation of the UN Convention against Corruption, with a focus on countries in the Pacific, South-East Asia and South Asia, to support a more effective global regime against corruption, including asset recovery.²⁷⁵¹

On 12 May 2016, during the Anti-corruption Summit in London Australia pledged to continue to support existing effective regional forums for asset recovery, including the Asset Recovery Interagency Network for Asia Pacific (ARIN-AP) other its regional equivalents, and encourages other countries to join and actively participate in these fora.²⁷⁵²

Australia has taken actions to support asset recovery through participation in multilateral institutions but not through its bilateral relations with certain countries. Thus, it is awarded a score of 0.

Analyst: Irina Popova

Brazil: 0

Brazil has partially complied with its commitment to support asset recovery.

Brazil is a part of the Stolen Asset Recovery Initiative and has a point of contact to StAR.²⁷⁵³

Brazil is a member of The Financial Action Task Force of Latin America (GAFILAT), which has special GAFILAT Asset Recovery Network.²⁷⁵⁴ The network was established on 22 July 2010 with the help from Stolen Asset Recovery Initiative.²⁷⁵⁵ Its objectives include exchange of information on natural and legal persons and assets to facilitate the identification, location and recovery of assets or products that have been instruments of illegal activities.²⁷⁵⁶ However no facts of Organization's activity during compliance period have been registered.

On 29 January 2016, General Attorney of Brazil Rodrigo Janot authorized the creation of asset recovery unit within the International Cooperation Department (SCI) of the Federal Prosecution

²⁷⁵⁰ Digest of Asset Recovery Cases, UNODC 2015.

http://www.unodc.org/documents/corruption/Publications/2015/15-05350_Ebook.pdf.

²⁷⁵¹ <http://dfat.gov.au/about-us/publications/Pages/grant-agreement-dfat-unodc-asia-pacific-joint-action-towards-regime-against-corruption-and-unprac-phase-ii.aspx>

²⁷⁵² https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522699/Australia.pdf

²⁷⁵³ G20 Anti-Corruption Working Group Accountability Report Questionnaire 2014, World Bank. Date of access: 14 July 2016.

https://star.worldbank.org/star/sites/star/files/accountability_report_questionnaire_2014_brazil.pdf

²⁷⁵⁴ Cooperation in GAFILAT. Date of access: 13 July 2016 <http://www.gafilat.org/content/cooperacion/&lang=pt>

²⁷⁵⁵ Manual de cooperação jurídica internacional e recuperação de ativos. Cooperação em matéria penal – 2012, Brazilian Federal Prosecution Office. Date of access: 14 July 2016. <http://www.mpf.mp.br/atuacao-tematica/sci/pedido-de-cooperacao-1/manuais-de-atuacao-1/manual-de-atuacao-drci-materia-penal>

²⁷⁵⁶ RRAG GAFILAT Asset Recovery Network, Inter-American Drug Abuse Control Commission. Date of access: 19 July 2016. <http://www.cicad.oas.org/apps/Document.aspx?Id=3304>

Office. In partnership with Ministry of Foreign Affairs and the Department for Fight against Cyber Crime this unit will help the process of asset repatriation back to Brazil.²⁷⁵⁷

On 15 April 2016, Brazil repatriated USD54 million obtained by Julio Faerman, former commercial representative of SBM Offshore, in corrupt agreements between SBM and Petrobras (Lava Jato operation). SBM is a Dutch company which signed an agreement with Brazil's Federal Prosecution and promised to return USD54 million deposited in Swiss banks. Investigations of the case involved Brazil, Switzerland and the Netherlands.²⁷⁵⁸

On 28 May 2016, Federal Judge Sergio Moro, responsible for the investigation of Operation Lava Jato said at the conference on combating corruption in the state of Paraíba that according to a survey of the Office of the Prosecutor General (PGR), in the period from the beginning of the operation in 2014 to May 2016 USD802 million had been repatriated to Brazil through cooperation arrangements with Switzerland and other international partners.²⁷⁵⁹

Brazil has taken actions to support asset recovery through its participation in multilateral institutions but no actions to support asset recovery through its bilateral relations with other countries have been registered during the compliance period. Thus, it has been awarded a score of 0.

Analyst: Irina Popova

Canada: 0

Canada has partially complied with the commitment to support asset recovery.

Canada has a national guide for asset recovery, which contains tools and procedures on asset recovery measures applicable within the respective countries. The document titled "Canada's Asset Recovery Tools: A Practical Guide" is published in three languages.²⁷⁶⁰

On 12 May 2016, an announcement regarding the creation of Anti-Corruption Centre was made at the global anti-corruption summit in London. Canada, partnered with the US, Australia, New Zealand, Switzerland and Interpol will fund an International Anti-Corruption Coordination Centre to bolster efforts to prosecute the corrupt and seize stolen assets.²⁷⁶¹

Canada has taken actions to support asset recovery through its participation in multilateral institutions. Thus, it is awarded a score of 0.

Analyst: Daryia Gruzdeva

China: 0

China has partially complied with the commitment to support asset recovery.

²⁷⁵⁷ MPF terá área de recuperação de ativos, Brazilian Federal Prosecution Office 29 January 2016. Date of access: 13 July 2016. <http://www.mpf.mp.br/pgr/noticias-pgr/mpf-tera-area-de-recuperacao-de-ativos>

²⁷⁵⁸ Brasil repatria US\$ 54 milhões de Julio Faerman obtidos por irregularidades entre a SBM e a Petrobras, Brazilian Ministry of Justice and Citizenship 15 April 2016. Date of access: 13 July 2016. <http://www.justica.gov.br/noticias/brasil-repatria-us-54-milhoes-de-julio-faerman-obtidos-por-irregularidades-entre-a-sbm-e-a-petrobras>

²⁷⁵⁹ In Brazil, Car Wash judge says prison not enough to fight corruption, Agência Brasil 29 May 2016. Date of access: 13 July 2016. <http://agenciabrasil.ebc.com.br/en/geral/noticia/2016-05/brazil-car-wash-judge-says-prison-not-enough-fight-corruption>

²⁷⁶⁰ <https://star.worldbank.org/star/sites/star/files/Canada%E2%80%99s-Asset-Recovery-Tools-A-Practical-Guide.pdf>

²⁷⁶¹ The Anti-Corruption Summit: now the hard work begins, Transparency International, 12 May 2016. Date of access: 19 July 2016. http://www.transparency.org/news/feature/anti_corruption_summit_now_the_hard_work_begins

On 13 April 2016, Minister of Justice of China Wu Aiying met with Executive Director of the United Nations Office on Drugs and Crime Yury Fedotov to discuss views on combating transnational crime. Wu Aiying said that China will cooperate with other countries in cases of extradition, asset recovery, cross-border investigations and evidence collection, and do its part to contribute to prevention and control of international crime.²⁷⁶²

On 6-7 June, the Eighth Round of the U.S.-China Strategic and Economic Dialogue was held. Among other issues the two sides decided to deepen cooperation on preventing official corruption and combatting transnational bribery, detecting embezzled public funds, denying safe haven for criminals and the proceeds of their crime, and recovering assets.²⁷⁶³

On 13 June 2016, China and the United Kingdom agreed to strengthen cooperation in security, law enforcement and justice issues at their first high-level security dialogue, held in Beijing. At this meeting two countries agreed to strengthen cooperation on the pursuit of fugitives, asset recovery and return, anti-money laundering and related crimes.²⁷⁶⁴ China has taken actions to support asset recovery through its bilateral relations with certain countries but no actions to support asset recovery through its participation in multilateral institutions have been registered during the compliance period. Thus, it has been awarded a score of 0.

Analyst: Irina Popova

France: 0

France has partially complied with the commitment to support asset recovery.

On 13 May 2016, France took part in the anti-corruption summit in London. The summit was aimed at "strengthening co-operation between the countries that have had assets stolen and the countries where those assets are hidden" France will work on the development of "internationally-endorsed guidelines" on managing the return of stolen assets.²⁷⁶⁵ At the summit France reiterated its support of the full enforcement of the UNCAC asset recovery provisions, and committed to strengthen its asset recovery legislation, including through the developing of internationally-endorsed guidelines for the transparent and accountable management of returned stolen assets.²⁷⁶⁶

In July 2016, a bill on "transparency, the fight against corruption and economic modernisation", also known as bill "Sapin 2", was discussed in Parliament and should be finally adopted in the course of summer 2016. This bill will introduce in the Criminal Procedure Code a differed prosecution agreement mechanism. The "Sapin II" presents the complex of the financial measures to combat the corruption. In particular, the government has introduced in this bill a provision to protect foreign states' assets.²⁷⁶⁷

²⁷⁶² Chinese justice minister meets with UN drugs and crime official, China Daily 12 August 2016. Date of access: 1.09.2016. http://www.chinadaily.com.cn/regional/2016-08/12/content_26454703.htm

²⁷⁶³ U.S.-China Strategic and Economic Dialogue, Outcomes of the strategic track, U.S. Department of state 7 June 2016. Date of access: 1.09.2016 <http://www.state.gov/r/pa/prs/ps/2016/06/258146.htm>

²⁷⁶⁴ China, Britain agree to strengthen security cooperation, Xinhuanet 14 June 2016. Date of access: 1.09.2016. http://news.xinhuanet.com/english/2016-06/14/c_135433798.htm

²⁷⁶⁵ Countries commit to toughening up civil asset recovery regimes, Pinsent Masons 13.05.2016. Date of access: 23.06.2016. <http://www.out-law.com/en/articles/2016/may/countries-commit-to-toughening-up-civil-asset-recovery-regimes/>

²⁷⁶⁶ Anti-Corruption Summit: country statements, British government 12.05.2016. Date of access: 18.07.2016. <https://www.gov.uk/government/publications/anti-corruption-summit-country-statements>

²⁷⁶⁷ Asset Recovery 2016: Roundtable, WWL, 06.07.2016. Date of access: 18.07.2016. <http://whoswholegal.com/news/features/article/33235/asset-recovery-2016-roundtable/>

France has taken actions to support asset recovery through its participation in multilateral institutions but no actions to support asset recovery through its bilateral relations with other countries have been registered during the compliance period. Thus, it has been awarded a score of 0.

Analyst: Anastasiya Polovko

Germany: 0

Germany has partially complied with the commitment to support asset recovery.

On 6 June 2016, the German Foundation for International Legal Cooperation (IRZ) published an article about the cooperation with Romania for EU project. The IRZ in partnership with the Romanian Ministry of Justice and the Romanian Public Prosecutor's Office have continued to work on the EU-funded project "New operational tools for EU law enforcement and judicial authorities to conduct financial investigations in transnational cases with asset recovery component" launched in 2015. The IRZ appointed Presiding Regional Court Judge Helmut Leuthäuser as an expert. He presented financial investigation methods in Germany and the options for asset recovery. German investigators from judicial and financial management authorities also took part in a series of seminars, which were held as part of this project.²⁷⁶⁸

Germany has taken actions to support asset recovery through its bilateral relations with certain countries but no actions to support asset recovery through its participation in multilateral institutions have been registered during the compliance period. Thus, it has been awarded a score of 0.

Analyst: Anastasiya Kozina

India: 0

India has partially complied with the commitment to support asset recovery.

On 17-19 November 2015, a meeting of asset recovery cooperation was organized in India. The meeting was dedicated to the asset recovery cooperation as part of the global response to corruption and financial crimes. Gathering more than 120 delegates from some 50 countries, the three-day meeting was organized by India's Central Bureau of Investigation (CBI), INTERPOL and the World Bank - United Nations Office on Drugs and Crime (UNODC) StAR (Stolen Asset Recovery) Initiative. The conference offered participants acting as national "focal points" for asset recovery investigations the opportunity to review developments and challenges in this area, and identify potential measures to enhance international cooperation in asset recovery cases.²⁷⁶⁹

On 18 November 2015, Indian Prime-Minister Narendra Modi addressed the delegates of the sixth Global Focal Point Conference on Asset Recovery in New Delhi. He said that the Black Money Undisclosed Foreign Income and Assets and Imposition of Tax Act had been enacted. Prime-Minister Modi called it "a comprehensive and deterrent law," which provides for stringent penalties and prosecution.²⁷⁷⁰

He expressed hope that the partnership between Stolen Asset Recovery Initiative (StAR) and Interpol will help in confiscation and recovery of stolen assets and that the conference delegates will "seriously

²⁷⁶⁸ IRZ continues cooperation with Romania for EU project, IRZ 6 June 2016. Date of access: 21 July 2016. <http://irz.de/en/romania>

²⁷⁶⁹ Global asset recovery cooperation focus of INTERPOL-StAR conference, Interpol official website 17-19 November 2015. Date of access: 20 July 2016. <http://www.interpol.int/News-and-media/News/2015/N2015-195>

²⁷⁷⁰ Our mission is to build a prosperous India. To achieve this, it is essential to fight relentlessly against corruption: PM Narendra Modi, November 18, 2015. <http://www.narendramodi.in/text-of-pm-s-speech-at-the-sixth-global-focal-point-conference-on-asset-recovery-376020>

deliberate and devise proper procedures and protocols to quicken the process of tracing, identifying, restraining, confiscating, and repatriating the stolen assets.”

On 29 February 2016, experts from the International Centre for Asset Recovery (ICAR) provided Indian Ministry of Finance Enforcement Directorate (MOF-ED) with back-to-back five-day country specific training programmes in financial investigations and asset recovery in New Delhi, India. These workshops were conducted as part of a technical assistance arrangement between the UK Foreign & Commonwealth Office and the MOF-ED. The aim of the training was to enhance the technical skills of the Indian MOF-ED, the country's sole agency entrusted with the investigation and prosecution of money laundering offences and attachment/confiscation of the proceeds of crime, to investigate financial crimes with international links.²⁷⁷¹

India has taken actions to support asset recovery through its bilateral relations with certain countries but not by participation in multilateral institutions. Thus, it is awarded a score of 0.

Analyst: Pavel Grebenyuk

Indonesia: 0

Indonesia has partially complied with the commitment to tackle the financing channels of terrorism.

On 12 May 2016, representatives of the Indonesian authorities participated in the Anti-Corruption Summit in London. Indonesian Country Statement committed to participate in the second review cycle of the implementation of Chapter V on Asset Recovery of the United Nations Convention Against Corruption, afford one another the widest measures of cooperation and assistance in asset recovery and commit to strengthen the Stolen Asset Recovery Initiative (StAR) in support of countries' efforts to recover and return stolen assets.²⁷⁷²

On 20-24 June 2016, the Indonesian authorities delegation participated in the Seventh Session of the Implementation Review Group of the United Nations Convention against Corruption (UNCAC) in Vienna, Austria to discuss corruption prevention and asset recovery. The Indonesian delegation was headed by the director of the Inter-Commission and Agencies Cooperation Network Development at the Corruption Eradication Commission (KPK) Dedie A. Rachim. He remarked that the delegation had discussed the second review on the ratification of the UNCAC, especially Chapter 2 on corruption prevention and Chapter 5 on asset recovery. According to Director Rachim, the steps taken by the Indonesian government for corruption prevention and asset recovery will be reviewed by Yemen and Ghana.²⁷⁷³

Indonesia has taken actions to support asset recovery through participation in multilateral institutions but no actions to support asset recovery through its bilateral relations with certain countries have been registered during the compliance period. Thus, it has been awarded a score of 0.

Analyst: Vasilisa Nazarova

Italy: 0

Italy has partially complied with the commitment to support asset recovery.

²⁷⁷¹ Basel Institute on Governance. Financial Investigations and Asset Recovery Training Programmes in India. Date of access: 23 July 2016. <https://www.baselgovernance.org/news/financial-investigations-and-asset-recovery-training-programmes-india>

²⁷⁷² Indonesia Country Statement, Government of UK May 12 2016, Access date: 15.07.16
https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522708/Indonesia.pdf

²⁷⁷³ Indonesia discusses asset recovery in Vienna, ANTARA News 23 June 2016, Access date: 15.07.16
<http://www.antaranews.com/en/news/105379/indonesia-discusses-asset-recovery-in-vienna>

Italy has a national guide for asset recovery, which contains tools and procedures on asset recovery measures applicable within the respective countries. The document titled “Italian Asset Recovery Tools & Procedures: A Practical Guide for International Cooperation” is published in three languages.²⁷⁷⁴

Italy is a member of Camden Assets Recovery Inter-Agency Network (CARIN) which is an informal network supported by a permanent secretariat supplied by Europol and serves as a means to exchange information on the best approaches to trace and recover proceeds of all crimes, including corruption. Its members and observers are 49 geographically widespread countries and nine global and regional organizations, including: Europol, Egmont Group, Eurojust, International Criminal Court, International Monetary Fund, Interpol, OLAF, United Nations Office on Drugs and Crime and the World Bank.²⁷⁷⁵

On 12 May 2016, during the Anti-corruption Summit in London Italy pledged to continue to contribute to capacity building programs and law enforcement activities also oriented to promote UNCAC, and committed to strengthen their asset recovery legislation, including through non-conviction based confiscation powers and the introduction of unexplained wealth orders.²⁷⁷⁶

During the compliance period Italy has taken actions to support asset recovery through its bilateral relations with certain countries but not by participation in multilateral institutions. Thus, it is awarded a score of 0.

Analyst: Irina Popova

Japan: 0

Japan has partially complied with the commitment to support asset recovery.

Japan has a national guide for asset recovery, which contains tools and procedures on asset recovery measures applicable within the respective countries. The document titled “Japan's Practical Guide for Assets Recovery: How to return the assets concerned” is published in three languages.²⁷⁷⁷

On 12 May 2016, during the Anti-corruption Summit in London Japan pledged to ensure that its domestic legislation allows for swift identification, tracing, confiscation, and return of assets following execution of a confiscation judgment issued by another jurisdiction. Japan also promised to promote regional interagency asset recovery networks for efficient asset recovery.²⁷⁷⁸

During the compliance period Japan has taken actions to support asset recovery through its bilateral relations with certain countries but not by participation in multilateral institutions. Thus, it is awarded a score of 0.

Analyst: Irina Popova

Korea: 0

Korea has partially complied with the commitment on support asset recovery.

²⁷⁷⁴ <https://star.worldbank.org/star/sites/star/files/Italy-Asset-Recovery-tools-and-procedures.pdf>

²⁷⁷⁵ Digest of Asset Recovery Cases, UNODC 2015.

http://www.unodc.org/documents/corruption/Publications/2015/15-05350_Ebook.pdf.

²⁷⁷⁶ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522710/Italy.pdf

²⁷⁷⁷ <https://star.worldbank.org/star/sites/star/files/Japan-practical-guide-for-asset-recovery.pdf>

²⁷⁷⁸ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522718/Japan.pdf

On 12 May 2016, during the Anti-corruption Summit in London Korea pledged to strengthen its asset recovery legislation, and support a broader use of regional asset recovery practitioners' network, such as Asset Recovery Interagency Network Asia Pacific (ARIN-AP) where Korea holds a role of Secretariat.²⁷⁷⁹

During the compliance period no Korea's actions to support asset recovery through its activities within the multilateral institutions and no facts of its bilateral relations with other countries have been registered. Thus, it has been awarded a score of 0.

Analyst: Irina Popova

Mexico: 0

Mexico has partially complied with the commitment on support asset recovery.

On 10 December 2015, Mexico hosted the XXXII plenary session of representatives of the Financial Action Task Force of Latin America (GAFILAT). The Session was preceded by meetings of the committees and working groups also held in Mexico. One of the Session results was a creation of a working group on addressing terrorist financing. During the meeting the progress report on the technical assistance project to combat money laundering in Latin America (Phases I, II and III) was presented. A special workshop for the participants of the plenary session was organized on financial sanctions addressing financing terrorism provided by the GAFILAT Executive Secretariat, United Nations Office on Drugs and Crime and GAFI Secretariat.²⁷⁸⁰

During the compliance period Mexico has taken actions to support asset recovery through its bilateral relations with certain countries but no facts about its activities in multilateral institutions initiative were found. Thus, it has been awarded a score of 0.

Analyst: Elizaveta Safonkina

Russia: 0

Russia has partially complied with the commitment on asset recovery.

Russia has a national guide for asset recovery, which contains tools and procedures on asset recovery measures applicable within the respective countries. The document titled "Asset Recovery: Practical step-by-step guide by Russian Federation" is published in three languages.²⁷⁸¹

Russia is a member of Camden Assets Recovery Inter-Agency Network (CARIN) which is an informal network supported by a permanent secretariat supplied by Europol and serves as a means to exchange information on the best approaches to trace and recover proceeds of all crimes, including corruption. Its members and observers are 49 geographically widespread countries and nine global and regional organizations, including: Europol, Egmont Group, Eurojust, International Criminal Court, International Monetary Fund, Interpol, OLAF, United Nations Office on Drugs and Crime and the World Bank.²⁷⁸²

²⁷⁷⁹ https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522725/Republic_of_Korea.pdf

²⁷⁸⁰ Principales conclusiones del XXXII Pleno de Representantes de GAFILAT. Date of access: 20 March 2016.

<http://www.gafilat.org/blog/noticias/211215025716/Principales-conclusiones-del-XXXII-Pleno-de-Representantes-de-GAFILAT.htm>.

²⁷⁸¹ https://star.worldbank.org/star/sites/star/files/guiderussia_en.pdf

²⁷⁸² Digest of Asset Recovery Cases, UNODC 2015.

http://www.unodc.org/documents/corruption/Publications/2015/15-05350_Ebook.pdf.

On 26 January 2016, the Meeting of the Presidential Council for Countering Corruption was held to discuss further measures to improve the national anti-corruption policy. President of Russia, who chaired the meeting, said that “such anti-corruption mechanism as forfeiture to the state of property purchased using illegal or bad funds” need to be improved. He mentioned that the relevant measures should include “compliance with international legal standards in returning assets illegally siphoned off to other jurisdictions.”²⁷⁸³

On 18 March 2016, the working group on the recovery of assets derived from corruption and crime was created within the Prosecutor General’s Office of the Russian Federation. The members of this working group included representatives of different departments and units of the Prosecutor General’s Office. It is planned that the key task of the group will be cooperation with relevant Russian and foreign bodies on the issue of asset recovery.²⁷⁸⁴

On 31 March 2016, Prosecutor General of Russia Yury Chayka met with the Prosecutor General of the Swiss Confederation Michael Laubert. The meeting participants discussed “confiscation and recovery of the assets derived from crime.”²⁷⁸⁵

Russia has taken actions to support asset recovery through its bilateral relations with certain countries but no actions on participation in multilateral institutions initiative have been registered during the compliance period. Thus, it has been awarded a score of 0.

Analyst: Mark Rakhmangulov

Saudi Arabia: 0

Saudi Arabia partially complied with the commitment on support asset recovery.

On 27 December 2016, the first session of the Conference of the States Parties to the Arab Convention against Corruption started. The delegation of Saudi Arabia’s authorities participated, including the members of the permanent mission of Saudi Arabia to the Arab League, participated in the session.²⁷⁸⁶ According to the Convention: "The return of assets is considered a basic principle in the present Convention and State Parties shall offer to one another help and assistance in that respect". Countries engage to extend of mutual judicial assistance and the restitution of assets; they can request for judicial assistance under the present Convention for execute inspection, seizure and freezing of assets. They have the right to confiscate all assets on its territory in terms of criminal proceeds or assets or instruments or other tools mentioned in paragraph (1) of Article 7 of the present Convention.²⁷⁸⁷

²⁷⁸³ Meeting of the Anti-Corruption Council, President of Russia 26 January 2016.
<http://en.kremlin.ru/events/councils/by-council/12/51207>.

²⁷⁸⁴ The working group on the recovery of assets derived from corruption was created within the Prosecutor General’s Office of the Russian Federation, The Prosecutor General’s Office of the Russian Federation 28 March 2016.
<http://www.genproc.gov.ru/smi/news/archive/news-1068911/>.

²⁷⁸⁵ Working meeting of the Prosecutor General of the Russian Federation Yury Chayka with the Prosecutor General of the Swiss Confederation Michael Laubert, The Prosecutor General’s Office of the Russian Federation 31 March 2016.
<http://eng.genproc.gov.ru/smi/news/news-1070561/>.

²⁷⁸⁶ The start of the first session of the Conference of the States Parties to the Arab Convention against Corruption, National Anti-Corruption Commission 27.12.15. Date of access: 16.07.16.
<http://www.nazaha.gov.sa/en/Media/News/Pages/news883.aspx>

²⁷⁸⁷ Arab Anti-Corruption Convention, League of Arab States General Secretariat 27.12.15. Date of access: 19.07.16
<http://star.worldbank.org/star/sites/star/files/Arab-Convention-Against-Corruption.pdf>

Saudi Arabia has taken actions to support asset recovery through its participation in multilateral institutions but no facts of its bilateral relations with other countries have been registered. Thus, it has been awarded a score of 0.

Analyst: Ekaterina Muravyeva

South Africa: 0

South Africa has partially complied with the commitment to support asset recovery.

South Africa is a member of Camden Assets Recovery Inter-Agency Network (CARIN) which is an informal network supported by a permanent secretariat supplied by Europol and serves as a means to exchange information on the best approaches to trace and recover proceeds of all crimes, including corruption. Its members and observers are 49 geographically widespread countries and nine global and regional organizations, including: Europol, Egmont Group, Eurojust, International Criminal Court, International Monetary Fund, Interpol, OLAF, United Nations Office on Drugs and Crime and the World Bank.²⁷⁸⁸

South Africa is a member of the Asset Recovery Inter-Agency Network of Southern Africa (ARINSA) which is composed of Botswana, Mauritius, Namibia, South Africa, United Republic of Tanzania, Zambia and Zimbabwe. The Asset Recovery Office for South Africa hosts the ARINSA Secretariat.²⁷⁸⁹

On 7-8 June 2016, South Africa hosted Asset Recovery Inter-Agency Network Southern Africa (ARNISA) Annual General Meeting. This Agency was created to facilitate asset recovery cooperation among countries of South Africa. Head of the South African Asset Forfeiture Unit, gave opening addresses where he stressed the need for regional cooperation, effective administration and investigation of cases.²⁷⁹⁰

South Africa has taken actions to support asset recovery through its participation in multilateral institutions but no facts of its bilateral relations with other countries have been registered. Thus, it has been awarded a score of 0.

Analyst: Irina Popova

Turkey: 0

Turkey has partially complied with the commitment to support asset recovery.

In January 2016, Turkey ratified the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism. The Convention aims to establish a common criminal policy between signatory countries. It requires signatories to adopt domestic legislation and other measures, as well as co-operate with other countries. The Convention adopts modern and effective crime prevention methods, intended to deprive criminals of the proceeds and instruments of crime, via international co-operation. Convention signatories must appoint a central, national agency as the financial intelligence unit ("FIU"). FIUs are entitled to access financial, administrative and law enforcement information in order to analyze suspicious transaction reports, as well as execute other duties. To combat money laundering, FIUs should

²⁷⁸⁸ Digest of Asset Recovery Cases, UNODC 2015.

http://www.unodc.org/documents/corruption/Publications/2015/15-05350_Ebook.pdf.

²⁷⁸⁹ Digest of Asset Recovery Cases, UNODC 2015.

http://www.unodc.org/documents/corruption/Publications/2015/15-05350_Ebook.pdf.

²⁷⁹⁰ <http://new.arinsa.org/mod/forum/discuss.php?d=339>

directly communicate with their equivalents in other countries, about requests within the scope of the Convention.²⁷⁹¹

Turkey has taken actions to support asset recovery through its participation in multilateral institutions but no facts of its bilateral relations with other countries have been registered. Thus, it has been awarded a score of 0.

Analysts: Andrey Loginov

United Kingdom: +1

United Kingdom has fully complied with the commitment to support asset recovery.

On 12 May 2016, at the Anti-corruption Summit Prime Minister David Cameron announced the creation of the first Global Forum for Asset Recovery. The first forum will take place in the USA next year with the help of the United Kingdom and focus on returning assets to Nigeria, Ukraine, Sri Lanka and Tunisia.

The forum will help to strengthen co-operation between the countries where assets are stolen and the countries where those assets are hidden, and provide law enforcement on both sides with necessary information on how to return illicit funds. “The UK has also secured commitments from 20 other countries at the Summit to strengthen or reinforce legislation to ensure stolen assets can be recovered, including Switzerland, Nigeria, France, Germany and Afghanistan.”²⁷⁹² Moreover, “assets have been recovered from criminals than ever before, with a record GBP 199m recovered in 2014/15, and hundreds of millions more frozen and put beyond the reach of criminals.”²⁷⁹³

At the summit the Prime Minister said: “Together we have broken the taboo on talking about corruption that has existed for too long, and we have pushed this fight to the top of the international agenda, where it can no longer be ignored.”²⁷⁹⁴

As one of the major milestones made at the summit was the announcement of Prime Minister about the creation of the world’s first ever International Anti-Corruption Coordination Centre, hosted in London, in partnership with the US, Canada, Australia, New Zealand, Germany, Switzerland and Interpol. Through this Centre Experts, including from the National Crime Agency, will be able to cooperate on the international level and coordinate work of law enforcement agencies and prosecutors across borders in order to find out and punish corrupt elites and recover stolen assets.²⁷⁹⁵

²⁷⁹¹ Turkey Ratifies European Convention On Money Laundering, Search, Seizure And Confiscation Of Criminal Proceeds And Financing Of Terrorism, Mondaq March 2 2016, Access date: 19.07.16

<http://www.mondaq.com/turkey/x/470592/Corporate+Crime/Turkey+Ratifies+European+Convention+On+Money+Laundering+Search+Seizure+And+Confiscation+Of+Criminal+Proceeds+And+Financing+Of+Terrorism>

²⁷⁹² PM announces new plan at anti-corruption summit to recover stolen assets, Prime Minister’s Office 12 May 2016. Date of access: 14 July 2016. <https://www.gov.uk/government/news/pm-announces-new-plan-at-anti-corruption-summit-to-recover-stolen-assets>

²⁷⁹³ Action Plan for anti-money laundering and counter-terrorist finance, HM Treasury April 2016. Date of access: 17 July 2016. https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/517992/6-2118-Action_Plan_for_Anti-Money_Laundering__web_.pdf

²⁷⁹⁴ PM announces new plan at anti-corruption summit to recover stolen assets, Prime Minister’s Office 12 May 2016. Date of access: 14 July 2016. <https://www.gov.uk/government/news/pm-announces-new-plan-at-anti-corruption-summit-to-recover-stolen-assets>

²⁷⁹⁵ PM hosts major summit as part of global drive to expose, punish and drive out corruption, Prime Minister’s Office 12 May 2016. Date of access: 14 July 2016. <https://www.gov.uk/government/news/pm-announces-new-global-commitments-to-expose-punish-and-drive-out-corruption>

On 29 February 2016, experts from the International Centre for Asset Recovery (ICAR) provided Indian Ministry of Finance Enforcement Directorate (MOF-ED) with back-to-back five-day country specific training programmes in financial investigations and asset recovery in New Delhi, India. These workshops were conducted as part of a technical assistance arrangement between the UK Foreign & Commonwealth Office and the MOF-ED. The aim of the training was to enhance the technical skills of the Indian MOF-ED, the country's sole agency entrusted with the investigation and prosecution of money laundering offences and attachment/confiscation of the proceeds of crime, to investigate financial crimes with international links.²⁷⁹⁶

The UK has taken actions to support asset recovery through its bilateral relations with certain countries and participation in multilateral institutions. Thus, it has been awarded a score of +1.

Analysts: Juliya Ponkratova

United States: +1

The United States has fully complied with the commitment to support asset recovery.

The US has a national guide for asset recovery, which contains tools and procedures on asset recovery measures applicable within the respective countries. The document titled “U.S. Asset Recovery Tools & Procedures: A Practical Guide for International Cooperation” is published in six languages.²⁷⁹⁷

The US is a member of Camden Assets Recovery Inter-Agency Network (CARIN) which is an informal network supported by a permanent secretariat supplied by Europol and serves as a means to exchange information on the best approaches to trace and recover proceeds of all crimes, including corruption. Its members and observers are 49 geographically widespread countries and nine global and regional organizations, including: Europol, Egmont Group, Eurojust, International Criminal Court, International Monetary Fund, Interpol, OLAF, United Nations Office on Drugs and Crime and the World Bank.²⁷⁹⁸

On 18 February 2016, the Department of Justice and Securities and Exchange Commission announced that with the help of authorities from Denmark and other countries they managed to successfully charge Amsterdam-based telecommunications company VimpelCom Limited and its Uzbek subsidiary with criminal and civil charges under the Foreign Corrupt Practices Act in connection with a multi-million dollar global foreign bribery scheme.²⁷⁹⁹

On 31 March 2016, the US Secretary of State John Kerry provided verbal assurance to Nigerian President Muhammadu Buhari that the US would assist Nigeria in the recovery of stolen assets in the American banking system.²⁸⁰⁰

On 12 May 2016, during the Anti-corruption summit in London the United States announced that it will co-host the inaugural meeting of the Global Forum on Asset Recovery with the United

²⁷⁹⁶ Basel institute on Governance. Financial Investigations and Asset Recovery Training Programmes in India. Date of access: 23 July 2016. <https://www.baselgovernance.org/news/financial-investigations-and-asset-recovery-training-programmes-india>

²⁷⁹⁷ <http://www.state.gov/documents/organization/190690.pdf>

²⁷⁹⁸ Digest of Asset Recovery Cases, UNODC 2015.

http://www.unodc.org/documents/corruption/Publications/2015/15-05350_Ebook.pdf

²⁷⁹⁹ <http://www.lexology.com/library/detail.aspx?g=01f711c5-7f8f-4aaa-b695-40ca5c237648>

²⁸⁰⁰ <http://saharareporters.com/2016/03/31/us-provides-assurance-buhari-cooperation-recovery-stolen-assets>

Kingdom in 2017 in partnership with Nigeria, Ukraine, Tunisia, and Sri Lanka with support from the Stolen Asset Recovery Initiative.²⁸⁰¹

On 28 June 2016, a bill to authorize the Secretary of the Treasury to pay rewards under an asset recovery rewards program to help identify and recover stolen assets linked to foreign government corruption and the proceeds of such corruption hidden behind complex financial structures in the United States and abroad was introduced in the US.²⁸⁰²

On 20 July 2016, Attorney General on the US Loretta E. Lynch announced the filing of civil forfeiture complaints seeking the forfeiture and recovery of more than \$1 billion in assets associated with an international conspiracy to launder funds misappropriated from a Malaysian sovereign wealth fund.²⁸⁰³

The U.S. has taken actions to support asset recovery through its bilateral relations with certain countries and participation in multilateral institutions. Thus, it has been awarded a score of +1.

Analyst: Irina Popova

European Union: +1

The European Union has fully complied with the commitment to support asset recovery.

On 12 May 2016, Europol welcomed the Anti-Corruption Summit and supported the establishment of a new International Anti-Corruption Coordination Centre (IACCC). Europol was committed to supporting the work of the proposed new IACCC by making these capabilities available to the new Centre through the appropriate mechanisms. It will ensure that the EU's well-developed practices in this area can better support effective anti-corruption action on the global stage.²⁸⁰⁴

On 12-13 June 2016, 100 law enforcement officers from the Polish Asset Recovery Office and tax authorities, supported by an Europol expert, arrested three suspects and seized assets, such as cash, luxury motor vehicles and real estate. A strong collaboration among Polish and German asset recovery offices, supported by Europol's Criminal Assets Bureau played a significant role in identifying key players and gathering information about intra-community supply chain of luxury vehicles.²⁸⁰⁵

On 1 July 2016, Europol published the report on criminal asset recovery in the EU. It shows that 98.9 per cent of estimated criminal proceeds are not confiscated and remain at the disposal of criminals. The report concluded that despite the small percentage of assets being confiscated, cross border cooperation between law enforcement agencies to trace and identify criminal assets has significantly improved in recent years, with more than 1,000 asset recovery investigations being carried out within the EU in 2015.²⁸⁰⁶

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https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/522738/United_States_of_America.pdf

²⁸⁰² <https://www.congress.gov/bill/114th-congress/house-bill/5603/text>

²⁸⁰³ <https://www.justice.gov/opa/pr/united-states-seeks-recover-more-1-billion-obtained-corruption-involving-malaysian-sovereign>

²⁸⁰⁴ Europol welcomes the Anti-Corruption Summit, Europol 12 May 2016. Date of access: 20 July 2016.

<https://www.europol.europa.eu/content/europol-welcomes-anti-corruption-summit>

²⁸⁰⁵ Asset Recovery - successful cooperation between Europol and Poland, Europol 15 June 2016. Date of access: 20 July 2016. <https://www.europol.europa.eu/content/asset-recovery-successful-cooperation-between-europol-and-poland>

²⁸⁰⁶ Does crime still pay? Criminal asset recovery in the EU, Europol 1 July 2016. Date of access: 20 July 2016.

<https://www.europol.europa.eu/content/does-crime-still-pay>

The EU has taken actions to support asset recovery through its bilateral relations with certain countries and participation in multilateral institutions. Thus, it has been awarded a score of +1.

Analyst: Anastasia Kozina