

## **Recommendations from the civil society workshop on asset recovery in the Middle East & North Africa region (Geneva, 1-2 November 2014)**

Civil society organisations (CSOs) from 13 countries from the MENA region and concerned requested jurisdictions met in Geneva on 1 and 2 November to analyse the asset recovery process and discuss ways for constructive partnership between CSOs and governments to help advance the recovery of stolen assets to the MENA region.

CSOs from this workshop also participated in the last day of the Third Arab Forum on Asset Recovery (AFAR III). This opportunity to directly interact with governments in the context of AFAR was welcomed by participating CSOs. It builds on the CSO-government dialogue that was established during Special Session III of AFAR II in 2013, which also led to the development of a practical guide for CSOs to take part in the asset recovery process (<http://cso.assetrecovery.org/>).

Key recommendations emerging from the CSO workshop, which were shared and discussed with concerned governments during the third day of AFAR on 3 November 2014, in light of Article 13 of the UNCAC, included, notably:

- States and CSOs should work together to identify gaps in asset declaration, illicit enrichment and conflict of interest regimes and problems in their implementation, and develop solutions to enhance implementation. Means to achieve this could include joint working groups or the assignment of legislators to be contact points for CSOs in this matter.
- States should collect and make available information about who owns, controls and benefits from companies and other legal entities and trusts, so that CSOs can better contribute to unraveling corporate structures that serve to mask illicit financial flows.
- In order for civil society to be an active partner in informing the public and in supporting the process of asset recovery, states should create a mechanism for CSO-government information sharing. This could be in the form of focal points or designated committees, which include public entities and civil society.
- CSOs urge their governments to develop and publish the asset recovery guides as recommended by AFAR II and the Deauville Partnership to Forum members, as this will enable interested CSOs and other governments to gain an in-depth understanding of the respective processes and interact with these processes constructively.
- States and CSOs should work together to assess gaps in compliance with Chapter 5 concerning asset recovery of the UNCAC and the commitments under the Deauville Partnership and AFAR II recommendations, and based on these develop national asset recovery reform strategies.
- Governments should establish accountable and transparent mechanisms to manage and dispose of returned assets, through broad consultation with concerned stakeholders.
- CSOs further recognize the benefit of working closely together across the MENA region and with counterparts from requested states, in particular in relation to specific cases that involve multiple jurisdictions. The workshop organisers, Transparency International (TI) and the International Centre for Asset Recovery (ICAR) commit to working together to provide suitable virtual forums and organize periodic face-to-face meetings among interested parties to facilitate this dialogue. CSOs also commit to addressing capacity gaps within civil society to strengthen the support we can provide.

- States must provide a legal framework and environment conducive to civil society playing an active role in asset recovery, including whistleblower protection as provided for in the UNCAC.