

International Centre for Asset Recovery

Business Plan 2014-16

(FINAL, January 2014)

ICAR 2006-2013: Achievements and lessons learnt

The past decade has been a landmark period for the global fight against corruption, and for the recovery of stolen assets in particular. A historical moment occurred in 2005 when the United Nations Convention against Corruption (UNCAC) entered into force, in which the recovery of stolen assets is considered a fundamental principle. Less than a year later, in mid-2006, the Basel Institute on Governance established the International Centre of Asset Recovery (ICAR), supported by the Governments of Liechtenstein, Switzerland and the United Kingdom, to assist affected countries in their efforts to recover stolen assets. The Basel Institute on Governance was the first non-governmental, internationally operating institution to establish a mandate focused on the improvement of the asset recovery processes. Since the start of its operations, ICAR has quickly emerged as a leader in this field, recognised as such by partner countries, the international community of experts and key institutions, including the Stole Asset Recovery Initiative of the World Bank and UNODC (StAR), bilateral donor agencies and regional and international development banks.

Thus, as ICAR approaches its eighth year of operations, it does so possessing an exemplary standing in the international arena, and a solid track record of achievements. ICAR provides dependable capacity building assistance to affected countries, through the development and delivery of country-specific training programmes and through country-driven legal advise and case-work assistance, and contributes to the global policy dialogue on asset recovery in an active and noticeable way.

ICAR's unique hands-on, country-focused and needs-driven training programmes in financial investigation, mutual legal assistance and asset recovery have become a unequivocal trademark product, unparalleled by any other institution. To date, ICAR training programmes have been carried out in more than 30 countries worldwide. On average, ICAR develops and delivers five to seven programmes per year, addressing an annual average audience of 200-250 trainees. Initially, ICAR's trainings were primarily delivered at country level and to one country at a time. In the past three years, ICAR has expanded its standard repertoire to include regional programmes and train-the-trainer programmes, as well as the development of training manuals. Train-the-trainer programmes are regarded as particularly successful; on the one hand, by nature, such train-the-trainer programmes have greater potential for ensuring sustainability of enhanced national capacities and skills; and, on the other hand, potentially they can bring about a South-South capacity building effect.

While evidently the institutional and technical framework as well as the operational resources for the design and delivery of training programmes is firmly in place, certain "soft" elements still require operational attention and consideration. ICAR recognises the importance of maintaining relationships with national counterparts, including alumni trainees, in order to better monitor impact and sustainability, and to maintain more effectively its country-level partnerships. Such networks, if firmly and systematically instituted, create a foundation of trust and can lead to follow-up work in the area of training and other forms of technical assistance as provided by ICAR. To date, ICAR has had some singular experiences of this nature but it is clear that more can be done to increase such spin-off effects. In addition, ICAR's experience with train-the-trainer training programmes has shown that they are a highly sustainable form of training. However, resource requirements for TTTs are considerable, both for ICAR and for the partner country, and make this form of training difficult in some circumstances.

Another ICAR achievement has been the design of IT tools and products for facilitating the management and implementation of asset recovery processes. For the purpose of more sophistication and challenge, these new products are developed and recommended as technical self-help tools for investigation processes (e.g. Asset Recovery Intelligence System, ARIS), offered as stand-alone, self-paced learning sessions (e-learning modules), or integrated into standard ICAR training programmes as additional learning modules (e.g. Internet Research Using ARIS). This is an area of work where ICAR has made some strong inroads in the past couple of years and has received high recognition from our partners, but where even more can be done.

In terms of casework assistance, operational progress in the initial years of ICAR's operations was slower as compared to ICAR's training activities. Partly this is due to the nature of casework. It remains highly sensitive and entirely dependent on the actual political will of a country requesting assistance on a specific case. In addition, the capacities of victim countries in most cases remain very low, and as such asset recovery remains a lengthy and complex process where immediate and quick results are unfeasible. Despite such on-going challenges and, more importantly, recognising the importance and pressure of achieving concrete results in the future, ICAR in the past two years significantly expanded its work programme in the area of casework assistance. Between 2011 and 2013, ICAR recruited several additional experienced practitioners with the aim to create notable momentum in supporting partner countries in pursuing their investigations abroad. The immediate impact of this strategic move became quickly apparent. By the end of 2013, the casework for ICAR quadrupled. The challenge now is to manage these cases in cooperation with partner countries in such a way that ICAR can show impact of its assistance in numerical, ideally financial terms, be it through an increase in freezing orders, an increase in submission of MLA requests, an increase in seizures of assets or actual repatriations of funds. Under these changed and expanded operational circumstances, and based on ICAR's operational experiences and challenges with case assistance to date, ICAR must also develop and implement an adjusted operational strategy demonstrating how it will balance its existing casework assistance so that tangible results are achieved with new incoming requests for assistance.

Finally, ICAR will continue to actively share its experience in the asset recovery process by partaking in policy dialogue on asset recovery, both on a national and international level. In this context senior ICAR staff regularly participates in relevant events and fora; in addition ICAR organises targeted experts workshops and publishes policy studies and book publications on asset recovery and related topics, all of which contributes to international agenda setting and domestic policy reform reflections.

In conclusion: As a "niche-boutique" institution operating in the field of asset recovery, ICAR remains well positioned to cater to future demands for training services and case assistance in asset recovery. In both areas of work its reputation for notable professionalism and high-standard expertise has remained constant. The apolitical nature of ICAR is greatly appreciated by our partners, and the professionalism of our team has helped a great way in overcoming potential trust issues with partner countries in the area of casework. ICAR benefits greatly from active engagement with its donors, including at an operational level in many partner countries, in addition to benefiting greatly from their financial contribution. It hopes to continue this cooperation with existing donors as well as to expand the donor support circle in 2014-16. Overall, as the demand for the work of ICAR has considerably increased in the past two years, and based on the positive assessment of achievements and the good feedback received from partner countries, the 2014-16 strategy will continue on the path taken so far, with some adjustments vis-à-vis the previous strategy in line with lessons learnt and challenges ahead.

Vision and mission

Our vision is to be a world leader in strengthening the legal, technical and practical capacities of countries to recover stolen assets, resulting in these countries becoming increasingly more self-sufficient in asset recovery.

ICAR is an independent not-for-profit centre of excellence in asset recovery. Our mission is to strengthen and support the capacities of developing and transition partner countries to recover stolen assets; we achieve this mission through training, case work, legal and policy analysis, the development of integrated IT tools, and by contributing actively to the global policy dialogue and to international standard setting. Adhering to the highest standards of integrity and sensitivity, we operate in a timely and collaborative manner, aligning and tailoring our assistance to international best practices and specific country needs. To create sustainability, our work is coordinated, integrated and partner-orientated.

Programme of work as per end 2013

1. Training

Since inception in 2006, ICAR has continued to enhance its capacity to provide technical assistance to developing and transition countries through the design and delivery of national and regional training programmes, the development of complementary systems such as e-learning and online networking amongst ICAR alumni, and the establishment of partnerships with key national and international training partners.

At the national level, ICAR has provided training programmes to at least 800 public officials in at least 30 countries. The duration of the training programmes varies from 3 to 8 days, depending on topic and audience, and 25 to 35 participants receive training per programme. Over the past 3 years, ICAR has used, and further developed, its unique hands-on learning methodology and has continued to provide country-tailor-made, practical, interactive and participant-based training programmes to assist investigators and prosecutors in detecting and investigating financial crime such as corruption and money laundering, and identifying, tracing and recovering stolen assets. These trainings are fully customised to the specific needs of the country and adapted to its legal and institutional realities and framework. Such specification is achieved by closely working with relevant national authorities and working onsite in countries, including during the preparatory stages of a training programme, as far as possible. The purpose of this approach is to build the technical skills of trainees in handling concrete cases within the constraints of their own legal system and proceedings. The centrepiece of the financial investigation and asset recovery training programme remains a practical, computer-based exercise simulating a complex investigation involving elements of corruption, money laundering and asset recovery, that replicates the real world as closely as possible within a classroom setting.

Again at national level, ICAR has also conducted Train-the-Trainer (TTT) programmes. These TTT programmes take place over the course of 7 regular training workshops on financial investigation and asset recovery. Whilst simultaneously teaching participants from various agencies, the programmes train approximately ten future trainers in the ICAR methodology and training material. This approach ensures a high level of sustainability, as trainers are able to further disseminate ICAR training programmes to new investigators and prosecutors over the coming years. Such methodology contributes to a degree of consistency in the approach to financial investigation and asset recovery in the concerned country.

Regional training interventions that have evolved over the past three years are developed and delivered with the aim of strengthening and encouraging regional co-ordination and co-operation in the investigation and prosecution of financial crime and asset recovery and strengthening peer learning.

ICAR also currently offers five free-of-charge e-learning courses on its Asset Recovery CAMPUS, covering a range of topics in relation to financial investigation and asset recovery, with more courses under development throughout 2013 and 2014. The e-learning training courses can be used for self-paced individual learning or as part of an onsite or blended training programme. ICAR can provide, upon request, both onsite or blended learning training programmes, which extends the scope of standard training courses to cover advanced topics on the use of IT tools in a corruption/money laundering investigation.

As a by-product of its national and regional training programmes, ICAR to date has produced two training manuals. Their purpose is to support institutions in various countries to implement their own training programmes and to further strengthen the sustainability of training workshops delivered by ICAR in its partner countries since such manuals enable these same authorities to train additional officials through the ICAR's tested methodology. Ideally the production of training manuals should go hand-in-hand with the delivery, by ICAR, of a Train-the-Trainer programme to ensure that the training methodology is properly understood and translated into the national context.

As part of the Basel Institute on Governance's overall outreach strategy, ICAR has benefited from the existing network of partnerships, including with Interpol, International Anti-Corruption Academy (IACA) and United Nations Office for Drugs and Crime (UNODC), and established new such partnerships with a range of national training and anti-corruption authorities. This has led to on-going training opportunities and assisted in opening the door for an integrated service approach by ICAR.

2. Casework assistance

ICAR's Case Consultancy team assists national enforcement authorities in partner countries in handling concrete and complex international corruption and/or money laundering cases with an asset recovery angle. The cases where ICAR assists are owned and run by the respective agency that has requested ICAR's services. This assistance includes, inter alia, the provision of tactical investigative, prosecutorial and intelligence development advice and the provision of advice in the compilation of requests for mutual legal assistance for evidence, restraint and confiscation to other jurisdictions. ICAR provides case strategy, ideally at an early stage, optimizing the best way to recover stolen assets, followed by case support, and through utilising its extensive global network and international expertise to provide technical and legal input, particularly where mutual legal assistance is required. Our main strength is to always approach issues from the perspective of the concerned country: for this it is essential that we carefully study and fully understand local laws and practices of the country requesting advice, and join them to the laws and practices of the country that is holding the assets. We aim to assist integration of intelligence links and best practice mutual legal assistance requests to enable rapid freezing of stolen assets.

Our overarching aim is to enable asset recovery practitioners to ultimately no longer require our assistance and support: to make them autonomous, confident, and technically well equipped to recover assets on their own. We work closely with these practitioners to help them achieve this end-state and to establish their best-case practice.

ICAR's Case Consultancy team has revised its strategic approach over the second part of the last 3-year period. During 2011-2012, only limited resources were exclusively dedicated to casework, and consequently only limited assistance could be offered in this area. Challenges were caused by a lack of continuity, especially in the period between the previous Head of ICAR's Case Consultancy team leaving in mid-2011, and the arrival of his replacement in September 2012. Since then, in addition to the Head of Legal and Case Consultancy, ICAR hired additional resources to strengthen its capacity in casework, including a Senior Investigation Specialist, an Investigation Specialist, and three additional staff with legal backgrounds. In addition, already during the transition period, ICAR was successful in retaining the services of a Senior MLA expert from Switzerland, who continues to work actively with the case consultancy team on high-level cases with a strong MLA angle.

After an in-house workshop to identify priority countries for ICAR's casework assistance, the team initiated a proactive outreach campaign commencing in February 2013. It proved to be a highly successful campaign resulting in new Case Consultancy Agreements (CCAs) with five different countries. As a consequence, ICAR currently operates with its casework assistance in seven countries: three in Africa, two in Latin America, two in Asia and one in the MENA region, covering a total of currently 16 cases.

3. Global policy dialogue

ICAR experts assemble extensive experience and expertise in the area of asset recovery, and through our work with developing and transition partner countries over the past six years, this experience has continuously been expanded. Our staff have both academic and extensive legal and investigative experience, reinforced thorough our wide geographic representation with staff from both developing and developed countries. We engage with, and understand different cultural backgrounds, local specificities and a wide array of legal and policy related matters. With a view to sharing this experience with the broader international asset recovery and anti-corruption community, and to shape and influence practices and policies related to asset recovery, internationally and nationally, ICAR has been actively participating in the global policy dialogue on asset recovery.

Our strategic approach has been to focus our attention on a small number of topics where we have a unique expertise or, due to ICAR's apolitical nature, can offer a particularly strong platform for dialogue. Areas of focus over the past few years were, notably, the role of nonstate actors in asset recovery, the management and return of confiscated assets, and the development of strong practices in asset recovery to complement the international and national legal frameworks. These projects are often implemented in consultation or in partnership with relevant local, regional and international partners, notably UNODC, the World Bank / UNODC Stolen Asset Recovery Initiative (StAR), the G8 Arab Forum on Asset Recovery (AFAR) as well as partners from the United Nations Crime Prevention and Criminal Justice Network (PNI) or, regionally the Organisation for the Security and Co-operation of Europe (OSCE) and the European Parliament. Outputs include policy papers, sometimes published jointly with partner organisations such as U4, and dedicated expert workshops and policy debates, that aim to shape the international policy making processes as well as national asset recovery related reform programmes. At the end of 2013 ICAR published the second comprehensive volume on asset recovery, on emerging trends in asset recovery, with contributions from many key international partners of ICAR as well as our own staff.

4. Legal and domestic policy work

Our legal and policy work at domestic level builds on our work in the global policy dialogue sphere. In the past our engagement in this area consisted to a great extent in supporting countries to conduct UNCAC compliance and gap analyses. The methodology developed by the Basel Institute for these analyses has been approved by UNODC and recognised as a valuable supplement to the official UNCAC review mechanism. With most countries now engaged in the formal UNCAC review processes, our focus has shifted to more targeted reviews, focusing notably on national asset recovery strategies and processes and related legislation and institutions. In these areas we provide extensive legal and practical analysis on legislation and institutional capacity building, benchmarking domestic institutional and legal

arrangements against international best practice and international legal standards. The purpose of this work, which is usually complementary to training or casework, is to help partner countries to further strengthen their legal and institutional frameworks with the ultimate aim to improve their operational effectiveness.

5. Applying IT and IT-supported tools in asset recovery

ICAR continues to house a team of IT specialists who develop and implement specialised IT tools and products for facilitating the management and implementation of asset recovery processes. This set up remains a unique structural and organisational feature of ICAR, enabling it to create and deliver services and programmes with additional elements of sophistication through the integration of specialised IT components. These include such products as, for example, software designed to facilitate investigations using publicly available information, or tools that allow to document and illustrate complex cases and flows of money, as well as e-learning products focusing on aspects of financial investigation and asset recovery. These IT products are either offered as stand-alone products or incorporated into or combined with the delivery of our standard services, including ICAR's training programmes.

Three product developments and launches in the past three years stand out: The Asset Recovery Intelligence System (ARIS), the Basel AML Index and e-learning modules.

ARIS is a web-based software tool that assists analysts and investigators with screening persons and companies that appear in Suspicious Activity Reports (SARs) or are otherwise subject to suspicions or a preliminary investigation. It uses semantic technologies to search the public Internet, commercial news sources and Politically Exposed Persons (PEPs) databases for traces of corruption linked to entities under scrutiny. ARIS also links into commercial news archives, providing information on news articles that are no longer publicly available on the Internet. Essential to the tool is a keyword taxonomy that is tailored specifically to the field of corruption and money laundering. Currently the tool is installed in the FIUs of 15 countries in Europe and Asia, with more deployments in the pipeline. The pilot phase of ARIS is planned to come to an end in 2013 and efforts are on going to define how to proceed with ARIS in the full version.

The Basel AML Index was created in 2011 and officially launched in 2012. This is the first publicly available Anti-Money Laundering / Combating Terrorism Financing (AML/CTF) country risk ranking developed by an independent academic institution. It serves to assist financial institutions and other stakeholders in analysing country risks regarding money laundering and terrorism financing. Much like ARIS, the tool uses open source intelligence, aggregating relevant third party data, and looking at countries' AML/CTF laws, financial regulations, political disclosure and other related factors such as corruption and political risk.

ICAR's development of e-learning modules has evolved in response to a natural and growing demand from graduated trainees of ICAR's standard training services for follow-up and refresher courses. As a result, ICAR in 2012 decided to redirect some of its current IT resources and expertise into the development and management of an online platform offering free-of-charge e-learning modules for asset recovery. By the end of 2012, this platform – the Asset Recovery e-learning Campus – featured four long-distance modules including on Financial Investigation Using Excel; Visualising Cases and Flows of Money; Internet Research Using ARIS; Internet Research Using Google & Co. These modules are offered as stand-alone, self-paced learning sessions, or are integrated into standard ICAR training programmes as additional learning modules. By October 2013, the e-learning Campus had registered some 550 users.

Objectives in 2014-16

Overall, and in view of the experience over the past six years of operation, ICAR will continue to engage with its partner countries along the same lines of activities and operational principles as in the previous years. Lessons learnt in implementing the previous business plan, as well as developments in the legal and institutional context of asset recovery however have triggered a range of new objectives and modified the accent of our engagement in some areas. Notably, in relation to training, new emphasis will be put on the development of training modules that address emerging issues, on the promotion of long-term engagements including through train-the-trainer programmes, on the expansion of ICAR's suite of e-learning modules, and on the development of shorter, flexibly adjustable training modules. In relation to casework, ICAR will strengthen its regional engagement in 2-3 key regions, possibly including through the long-term placement of regional case officers. In relation to global policy work, ICAR will focus on a limited number of topics with a view to generating more direct impact within relevant international forums, to the extent possible. Overall, and across all lines of activities, further emphasis will be put on promoting an integrated approach in our partner countries combining different activities and forms of assistance with a view to enhancing overall impact. Also, ICAR will strengthen its capacity to analyse expected outputs and project and programme feasibility, by complementing the technical feasibility studies with an assessment of the political feasibility of asset recovery success. Another theme that will be strengthened across all lines of activities is an enhanced emphasis on the anti-money laundering component of asset recovery, as it forms an essential part of the asset recovery chain of action. This may include a more targeted cooperation with FIUs or respective regional or international inter-agency networks, as these may in turn enable more effective international cooperation in case related matters.

1. Training

Over the next three years, the ICAR training team will continue to support capacity building in asset recovery in affected partner countries through on-going development and delivery of its core training services using its unique, hands-on learning methodology. In doing so ICAR will continuously seek ways to improve and further sophisticate its learning methodology, including through the development and integration of new specialized learning units, notably in the areas of MLA and special financial investigations techniques, as well as through the development and integration of IT and IT-supported elements. The latter will involve the creation of new e-learning modules, either as integrated or blended learning components of ICAR's standard onsite training programmes or as follow-up, self-paced distance-learning options, on key topics of financial investigation, anti-money laundering and mutual legal assistance.

The follow-up training options shall simultaneously serve ICAR as a professional channel for maintaining relationships with graduated trainees/participants, as well as with local counterparts in partner countries with the purpose of ensuring maximum sustainability and impact in these countries. At the same time these new training modules shall form part of the ongoing construction and professionalization of the web-based resource and learning platform, the Asset Recovery Campus. The Campus will be further enhanced through the integration of strategic elements of ICAR's former Asset Recovery Knowledge Centre and its Asset Recovery Experts Network (AREN) to maximize its potential as a learning and networking resource.

Whilst the development of new components to ICAR’s training services is possible with existing resources, the professionalised development and delivery of a growing number of e-learning and blended trainings will require additional (internal or external) human resources and partnerships, such as the one envisaged with Egmont for AML related trainings. Similarly for the full development of the Campus, including a very active use of AREN, a part-time extra resource will become necessary over time.

Concretely, the ICAR training team aims to achieve the following objectives over the period of three years from 2014-16:

Objective 1	Provide training services to enhance locally relevant capacities and skills of law enforcement and asset recovery practitioners in relation to financial investigation, AML, MLA and the recovery of stolen assets.
Strategic activities and outputs	<ul style="list-style-type: none"> - Deliver 5-6 national training programmes per year (each programme: 5-8 days each, with 25-35 participants) - Deliver 1 regional training programme per year (5-8 days, with 25-35 participants) - Over 3 years: Deliver 2 multi-phased train-the-trainer programmes (each programme: 5-7 phases; each phase: 5-8 days and 25-35 participants per phase; 4-8 local trainers trained) - Over 3 years: 1-2 training manuals - Develop 2-3 new 3-day training modules on key topics of the asset recovery process, including MLA; deliver 2-3 of these new shorter modules per year - Integrate computer-based IT modules and elements into ICAR’s standard training programmes
Objective 2	Further expand and improve the outreach of ICAR’s training services and the offer of long-term networking and asset recovery learning resources.
Strategic activities and outputs	<ul style="list-style-type: none"> - Over three years: Develop three e-learning based blended onsite training modules of +/- 3 days each, on core asset recovery topics such as MLA and financial investigation; - Develop up to 2 new e-learning training modules per year on selected asset recovery topics to complement the existing modules available on the ICAR Asset Recovery Campus; - Seek collaboration with anti-corruption and asset recovery oriented training institutions to extend the outreach of the ICAR Asset Recovery Campus; - E-learning modules of the ICAR Asset Recovery Campus are an integral part of at least 2-3 specialised national training institutions. - A partnership is formed with the Egmont Group for asset recovery related e-learning modules targeting FIUs and related institutions, and up to 3 such e-learning modules for FIUs and related institutions are developed in this partnership.
Objective 3	Develop and institutionalise a sustainable operational post-training approach for establishing networks and partnerships and create a foundation for longer-term cooperation
Strategic activities	- On-going from 2014/15: Monitor the implementation of follow-up assignments and services

and outputs	<p>(additional training programmes, requests for support with legal analysis and recommendations and requests for casework support) which come about through channels of the aforementioned newly established mechanism</p> <ul style="list-style-type: none"> - Over 3 years: Sign off on at least 1-2 new Memorandum of Understanding with a partner country for the purpose of establishing a longer-term partnership arrangement for supporting capacity building in asset recovery - Over 3 years: Implement 1-2 new spin-off assignments either in the area of training or legal and case consultancy resulting from a previously conducted training programme
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2. Casework assistance

In line with its growth strategy adopted in the past between 2012-2013, and recognising the importance and pressure of achieving concrete casework results as well as the continuously growing demand for ICAR's assistance in this area, ICAR is aiming to double the amount of casework support in affected countries in the next three-year period.

Fundamentally the services offered by ICAR in this category of work will remain the same. Yet as the demand for casework grows rapidly, ICAR will have to be even more careful in evaluating the merits of each case for which its assistance is required. ICAR will strategize and cautiously determine the need as well as the appropriate timing for hiring additional staff to be able to effectively respond to the growing demand for assistance on specific cases from partner countries. Currently, on the basis of ICAR's recent growth trend and experience in this area, ICAR foresees an additional need for 2-4 experts for the Legal and Case Consultancy team during the next three-year period. To further professionalise this evaluation, more systematic pre-casework analyses will be conducted in selected countries, in particular in those where neither ICAR nor the Basel Institute have had previous engagement.

Finally, with a view to providing even more sustainable and long-term engagement in countries, it is envisaged in this coming 3-year period to consider placing long-term experts in selected region. Discussions regarding a pilot in one region are on going and the decision, also subject to adequate additional funding, is likely to precede the beginning of this 3-year period. Further local placements will be considered based on experience with the pilot placement, if occurring.

Concretely, the Legal and Case Consultancy team aims to achieve the following objectives over the period of three years from 2014-2016:

Objective 1	To enhance the successes in asset recovery of priority countries and regions
Strategic activities	<ul style="list-style-type: none"> - To provide case consultancy for at least 8 countries - To provide input into 20 case strategies - To contribute to the drafting of 20 MLAs - To identify up to CHF 100 million illegal assets - To contribute to the freezing of up to CHF 50 million illegal assets

Objective 2	To develop and adopt a more strategic approach to casework assistance and consolidate our
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	work in high-demand regions and countries
Strategic activities	<ul style="list-style-type: none"> - To prioritise a regional approach in 3 regions, including East and Sub-Sahara Africa, Latin America and either the Middle East North Africa or the Asia-Pacific region - To consider local long-term placements of ICAR experts in prioritized regions - To conduct at least 1-2 strategic country assessments per year based on a mixed legal / political-economy analysis tool used by the Basel Institute, in countries where ICAR is engaged through a CCA or is considering engaging through casework, to inform our strategic approach to the casework in the concerned country - To share best practice in regional and international collaboration through casework related workshops. - To continue strengthening, possibly through formal MOUs where possible, the collaboration with key law enforcement agencies in ICAR donor countries and other key jurisdictions.

3. Global Policy Dialogue

During 2011-2013 ICAR engaged with civil society organisations (CSOs) globally and in the Middle East North Africa (MENA) region, which amongst other activities led to a comprehensive volume on the role of Non-state Actors in Asset Recovery published by ICAR as well as a Guide to the Role of CSOs in the Asset Recovery Process (in the context of the G8 Arab Forum on Asset Recovery). Another specific topic, which ICAR has extensively researched, examined and debated, through the publication of policy papers and the organisation of workshops, is the management and restitution of seized assets. And finally, an initiative that started in 2013 and in which ICAR will remain engaged over the coming years is the work on developing a Best Practices Guide for the Efficient Recovery of Stolen Assets.

These three topics will represent the main focus of ICAR’s involvement at the global policy level, supported by on-going participation in key international forums, where ICAR will feed these three topics into the dialogue and further strengthen ICAR’s international network. These endeavours translates in our work being geared towards the following objectives and outputs:

Objective 1	To contribute to the development and dissemination of a good practices in implementing the asset recovery process and its procedures
Strategic activities	<ul style="list-style-type: none"> - To establish best practices on the use of the asset recovery process (Best Practices Initiative) and to contribute to the dissemination of these practices by creating and using a case-scenario-based methodology - To actively participate in key global forums on asset recovery topics with a view to continue to shape the global agenda in asset recovery and strengthen ICAR’s international network - To publish six knowledge products covering emerging trends and practices, including one comprehensive volume on asset recovery

Objective 2	To establish best international practice in the return and management of stolen assets
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Strategic activities	<ul style="list-style-type: none"> - To engage and reflect on the management of seized assets and their use for social purposes - To engage and make meaningful contributions to the debate on the restitution of confiscated assets, overcoming current challenges faced in this area
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4. Legal and national policy work

As a general principle, and as part of the aim, during the 2014-2016 cycle, to build on its existing partnerships and adopt a more regional approach to encourage partner countries to act more cohesively and efficiently, ICAR will aim to align legal and national policy work to existing training and case work engagement.

Thematically for this next 3-year period, ICAR will seek to prioritise and expand its work on anti-money laundering as an important element of the asset recovery process, with a particular focus on collaboration with FIUs. For this purpose we have recently added a dedicated part-time FIU expert to ICAR’s team, and additional resources will be considered in 2014/15. In 2013 we have already prepared this development and, amongst others, committed to a long-term engagement in reviewing and strengthening the anti-money laundering processes in a range of countries in West Africa and in the Pacific region; these are both regions where in 2012 and 2013 ICAR has started to engage on these topics and in which money laundering remains a considerable problem and undermines countries’ efforts to prevent corruption and recover stolen assets.

Concretely, in this particular area of work, ICAR will to achieve the following objectives and outputs over the next period of three years from 2014-16:

Objective 1	To improve the technical and legal “infrastructure” and capabilities for asset recovery of affected partner countries
Strategic activities	<ul style="list-style-type: none"> - To conduct, build and review legal, structural and strategic benchmarking and reviews as per demand - To conduct gap analyses of the anti-money laundering, anti-corruption and asset recovery systems at national level and comparatively in selected regions in at least two countries per country - To contribute to academic research in the asset recovery process through at least one significant working paper per year - To advise FIUs to develop financial intelligence as per demand, and proactively, through outreach during existing country-level engagements or dedicated projects on demand

5. IT and IT supported tools

The IT team of ICAR will continue to focus on developing tools that practically support and further reinforce the work done by ICAR’s training and casework teams. Substantial emphasis will be put on ensuring maximum integration of IT tools with these other specialised activities. The focus will be on four particular activities:

On the one hand, the IT team will work together with the training team on developing and further integrating e-learning tools (covered in section 1 on Training above).

Secondly, the IT team will revamp the web presence of ICAR in 2014 and 15. This will consist of the development of a small informative and dedicated website for ICAR, linked to but also independent from the Basel Institute’s website. This website – the Asset Recovery Campus - will serve as portal for ICAR’s core IT tools, including the e-learning modules, a reduced version of the Asset Recovery Knowledge Centre, and the Asset Recovery Experts Network (AREN). AREN, which is an informal social networking platform, with around 300 registered members to date, will be maintained and encouraged for use in a proactive way to enable ICAR graduated trainees to remain in contact with fellow asset recovery practitioners. AREN may possibly also be used as a mechanism for monitoring results and progress and developing a comprehensive understanding and knowledge of a specific country or region. For the revitalisation of AREN and other internet-based resources, additional human and technical resources will be required over time, as only a constantly animated discussion and a highly accurate and up-to-date content will allow these tools to fully serve their purpose.

Thirdly, ICAR will seek to establish a long-term solution for ARIS – the Asset Recovery Intelligence System, – which is concluding the pilot phase in 2013.

And finally ICAR will continue to provide and further develop the Basel AML Index, both the public and the expert edition. With the outreach of this tool encompassing an ever-larger community, including both public and non-public entities, and with the expanded use of the tool for various purposes, including in-depth risk assessments and the risk-based mitigation strategies, research, policy papers and news coverage, ICAR will invest resources to maintain and further professionalise the tool to ensure consistency and reliability of the tool for both non-public and public use.

Concretely, ICAR will aim to achieve the following objectives and outputs in this work area over the next period of three years from 2014-2016:

Objective 1	Support asset recovery practitioners in their daily work through the development and provision of IT-based tools and web-based information sharing and networking opportunities
Strategic activities and outputs	<ul style="list-style-type: none"> - By end of 2014: Develop concept for the Asset Recovery Campus and pilot the Campus - By mid-2015: Asset Recovery Campus fully operational - By mid-2014: Complete the assessment of the ARIS pilot phase and finalise long-term concept for ARIS - By end 2015: Launch revised full ARIS, possibly in collaboration with external software development provider. - By end 2016: Approx. 30-40 asset recovery relevant institutions are using ARIS on a regular basis for their investigative work. - By end of 2014: Develop and implement an operational concept for a systematic and institutionalised mechanism for maintaining relationships with graduated ICAR trainees (e.g. revamping of the Asset Recovery Experts Network, AREN)

Objective 2	Provide the AML community and other interested and relevant audiences with a research-based composite index that enables the assessment of money laundering and terrorist risks in support of corruption prevention
	<ul style="list-style-type: none">- Timely annual publishing launch of the annually reviewed Basel AML Index's Expert Edition and providing Expert Edition updates throughout the year with updates made on a rolling basis- Increase number and broaden scope of types of subscribing entities of the Basel AML Index- Strengthen the external peer review mechanisms through involvement of at least 2 additional experts in the review group- Continue exploring additional data resources- Continue exploring, developing and integrating new technical IT functions to improve the tool's user-friendliness

Risks and mitigating strategies

The nature of asset recovery, as defined in the UNCAC, is extremely complex, highly political and exceedingly time-consuming. It is a legal, technical and diplomatic process taking place in a cross-border international operational context, and always involves at a minimum two countries and therefore two sets of national legal frameworks. As a result, the potential challenges of such a multiplex process are not few, and most definitely diverse. As such the success of asset recovery, including when conducted with the assistance of organisations like ICAR, depends on a number of key factors, including notably:

- **Political preparedness and stability:** The political will of all involved parties, in particular of the affected country, must be real both at an internal level, i.e. local authorities vis-à-vis each other, and at an external level, i.e. local authorities vis-à-vis national authorities from other jurisdictions and partners, including, for example, ICAR. Existing or emerging local unrest and instability in a requesting country is most likely going to destabilise any political resoluteness, which may have once existed. Without bona fide political determination, any potential of success for asset recovery is futile.
- **Operational infrastructure:** A minimum level of competencies and capacities, including a basic legal framework, must be in place in all involved countries, in particular in the affected developing and transition countries, that are requesting external assistance. A lack thereof will hinder any asset recovery process and its probability of a positive outcome.
- **Resources stability and continuity:** ICAR's institutional and technical framework as well as its essential operational resources must be firmly in place. This includes the need for sufficient funding from varied sources, as well as adequate staffing placements. An inconsistent and insufficient level of either resource will hamper ICAR's ability to effectively provide its services to affected partner countries. ICAR has been fortunate to have steady and generous support from its donors, and the close contact with these donors, including at operational in-country level, has been a highly valued support. The introduction, as of 2012, of two annual donor meetings has demonstrated that such regular information-sharing opportunities are of great benefit to ensuring the coherency, sustainability, consistency and transparency of ICAR's activities. Nonetheless a gradual expanding of ICAR's donor base over 2014-16 will be beneficial not only from a financial but also from a political perspective. In terms of resources though, a much greater concern in recent years has been the difficulties to find qualified staff from a sufficiently varied national and legal background. This is likely to remain a challenge.

ICAR has a responsibility to adopt an operational strategy that aims to mitigate any obvious risks associated with asset recovery, such as those outlined above. Such a strategy must involve and apply the following considerations:

- ICAR cannot directly influence the political will of partner countries. However, it can take measures to ensure that the effective and sustainable use of its resources is not hampered by an unsuitable political context. ICAR will thus continue to carefully evaluate each potential partner country's political context and political will.

In an effort to confirm a sufficient level of political commitment from potential partner countries, ICAR shall regularly observe and consider the engagement of other international organisations and consult with partners who have permanent operations on the ground. In particular, ICAR shall routinely work closely with its donor

representatives in these countries when onsite. A new tool to assess the politico-economic context in potential partner countries will further be introduced in 2014-16, targeting countries where a particularly high level of ICAR engagement is requested.

- ICAR can directly address the challenge of lack of competencies and capacities of partner countries. It can do so by aiming to keep the number of countries in which it operates limited while seeking a comprehensive engagement with those countries. This includes ideally a combination of training programmes, possibly the provision of a TTT which is a particularly sustainable form of capacity building, with casework and in-depth analytical work on the legal and institutional framework of the country/ies concerned. While this engagement is ultimately demand driven, ICAR can certainly encourage this type of comprehensive work in its dialogue with partner countries. The establishment of official partnership agreements (i.e. MOUs) is another mechanism to encourage such long-term cooperation and a comprehensive engagement at country level.
- For the purpose of sustain financial and operational support from its core donors, ICAR shall continue to maintain regular contact and information sharing, in particular through bi-annual core donor meetings. This in particular allows engaging these partners in the planning, development and implementation of ICAR projects.
- To ensure adequate and continuous staffing for ICAR, ICAR shall regularly evaluate its staffing situation in line with ICAR's growth in service demand and ICAR's in-house need for staff continuity and sustainability. To ensure an effective response to growth and to respond to the need for in-house expert continuity and sustainability, ICAR must apply a staff recruitment strategy that attracts experienced practitioners in asset recovery whilst offering a competitive international expat salary structure and package.

Resources and budget outlook

ICAR currently has 14 full-time staff positions (1 in management, 3 in training, 8 in legal and case consultancy, 2 in IT tools development). The Basel Institute's central Resources and Operational Support Unit provides the administrative and logistical support. In view of the on-going increase in requests for ICAR services and products, the current resources are likely to be insufficient to meet this growth in demand. To achieve its objectives by the end of 2016, as proposed in this new Business Plan for ICAR, ICAR will require additional financial resources to cover the associated rising expenses for travel and core-funded programmes, overhead and for additional staff, as follows:

- Casework: 2 senior casework experts, 1 casework expert (budgeted), 1 (junior) casework expert (2014-16)
- 0.5-1 dedicated resource for maintaining AREN and continuously developing extra e-learning modules (2014/15)
- 1 dedicated training expert to support development of new training modules and serving an increased demand for short and regular ICAR trainings (2015/16)

If these additional staff requirements are implemented in a staged manner over three years, this development will require additional resources of approximately CHF 200'000 in the first year, CHF 450'000 in the second year and CHF 7-800'000 in the third year. As demand for ICAR services continues to increase, additional resources may be required.