



THE AIRE CENTRE
Advice on Individual Rights in Europe

 **UK Government**



**REGIONAL
ANTI-CORRUPTION
INITIATIVE**

**COMBATING CORRUPTION IN SOUTH
EAST EUROPE: STRENGTHENING
COOPERATION IN THE FIELD OF
ASSET RECOVERY**

Final
Conference
Report



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Final Conference Report

1. Introduction

The AIRE-RAI Project - Combating Corruption in South East Europe: strengthening cooperation in the field of asset recovery

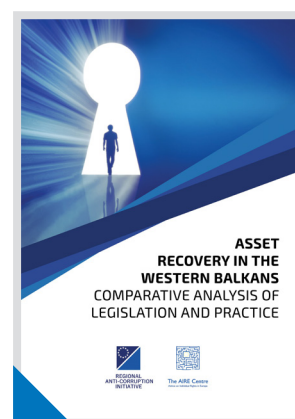
In 2018 the AIRE Centre (Advice on Individual Rights in Europe) and RAI (The Regional Anti-Corruption Initiative) began working on a project dedicated to combating corruption in the Western Balkans and South East Europe by strengthening regional cooperation in asset recovery. The project was funded and supported by the UK government.

Corruption, and the economic and social damage it causes, prevents the effective rule of law, damages respect for human rights and restricts equal opportunity. Asset recovery seeks to combat the profit motive of those involved in corruption and organised crime by removing illegal profits from the hands of criminals. By breaking the financial motivation for crime and corruption, in partnership with effective law enforcement and the prosecution of such crimes, corruption and its associated ills will loosen their grip on regional jurisdictions.

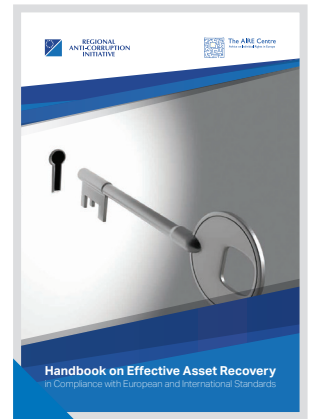
Working with the judiciary, asset recovery specialists and decision makers in six jurisdictions, the project provided practical support, training, and opportunities for the sharing of international and regional expertise in relation to national and international standards, jurisprudence and human rights protections.

After consulting regional experts and practitioners on the needs, strengths and weaknesses of asset recovery practice in South East Europe, the project carried out a comprehensive review and analysis of its findings before producing three targeted practical and region specific publications on asset recovery. These publications were complemented by a series of targeted practical trainings and two technical practitioner-focused study visits to Romania and the UK.

The first publication was a comparative analysis of legislation and practice in the jurisdictions of South East Europe relating to asset recovery and the fight against corruption and organised crime. This was produced in 2018 to act as both an overview of the status of asset recovery in the region at the beginning of the project and also as a baseline, against which progress made during the project could be judged and measured. It may be accessed [here](#).

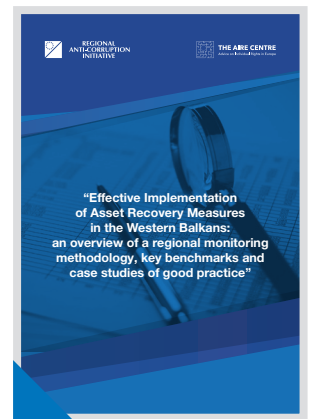


The second publication was a practical handbook on effective asset recovery for judges, practitioners and decisionmakers to use as a guide for the effective implementation of asset recovery practice in the region. This also provided a detailed explanation of important European and international standards, including in relation to human rights. It may be accessed [here](#).



The third publication provided a practical guide for asset recovery practitioners to best practice on international cooperation, relevant international and European asset recovery legislation, standards and mechanisms for international cooperation, and included guidance to both pre-mutual legal assistance and mutual legal assistance processes. It may be accessed [here](#).

Notably the project also established the foundations for standardised statistical collection and analysis of asset recovery practice across the region and contributed to embedding asset-recovery as a region-wide policy objective; laying the groundwork for a regional network of asset-recovery experts and practitioners. The project's overview of regional statistical monitoring, including of key benchmarks, examples of good practice and the identification of areas for future development may be found [here](#).



The Final Project Event

On 9 March 2021 and after two and a half years of work, the AIRE Centre and RAI held the final conference of their project dedicated to combating corruption in South East Europe through strengthening cooperation in asset recovery. Although planned to end in 2020, the Covid-19 pandemic and resulting delays and difficulties pushed back the project's conclusion and final conference to 2021.

This final conference gave participants an opportunity to look back on the successes and challenges of the prior two years and provide an overview of the project's achievements. Beginning with an international view of asset recovery in Europe and the region, provided by representatives of Europe's key asset recovery institutions, the conference subsequently provided an opportunity for the presentation of the project's final report, authored by the project's Proceeds of Crime Asset Recovery Adviser Jill Thomas. Reflections on the project's work and opportunities for further developments in the field of asset recovery were provided by participants from around the region. The event also provided an opportunity for participants to look to the future of asset recovery in the region, and contributions were made to that effect by representatives from across participating jurisdictions in South East Europe. Continuous progress was and remains the focus, even after the project's conclusion.

The conference made use of a hybrid format, with participants meeting in-person in a central location as well as in six further in-person hubs located across the region. Each regional hub, with locations in Belgrade, Priština, Podgorica, Sarajevo, Skopje and Tirana, brought together ten asset recovery experts, including representatives from regional ministries of justice, judiciaries, prosecutor's offices, judicial training centres, law enforcement agencies and asset management agencies. Regional hubs were linked to the central event via video link.

Due to the ongoing Covid-19 pandemic and the difficulty of organising international events and in-person meetings, this final conference was consequently one of the only opportunities for asset recovery practitioners and those involved in asset recovery to come together to discuss the state of asset recovery in South East Europe and share their experiences of working over the last year.

In the interests of transparency and outreach, the event was open to any interested viewers online and a recording was made of the event in all regional languages to be published on the AIRE-RAI online platform for future viewing.

Speakers

The conference benefitted from the contributions of representatives of Europe's highest judicial, legal and crimefighting institutions, as well as of key programme participants. Contributions in the central hub were led by:

International Experts



Tim Eicke
ECtHR Judge Elected
in Respect of the
United Kingdom



Hanne Juncher
Executive Secretary of the
Group of States Against
Corruption (GRECO)



Burkhard Muhl
Head of the European
Financial and Economic
Crime Centre (EFECC)
at EUROPOL



Jill Thomas
International Asset
Recovery Expert

Discussions in the regional hubs were led by:

National Project Coordinators



**Radmila
Dragičević-Dičić**
Judge of the Supreme
Court of Cassation of
Serbia (Belgrade)



Aleksa Ivanović
Chairman of the State
Election Commission of
Montenegro (Podgorica)



Ganimete Ismajli
Lecturer at the Law Faculty
of AAB College (Priština)



**prof.dr.sc.Eldan
Mujanović**
University of Sarajevo,
Faculty for Criminalistics,
Criminology and Security
Studies and Criminal
Policy Research Centre
(CPRC) (Sarajevo)



Mirjana Lazarova Trajkovska, PhD
Judge of the Supreme Court of North Macedonia (Skopje)



Ledina Mandia, PhD
Lecturer at Law Faculty of University of Tirana, (Tirana)

The regional hubs also benefitted from the presence and contributions of judges, prosecutors, representatives of judicial training centres, representatives of regional ministries of justice, academics, law enforcement agencies and asset management agencies.

Further contributions were made by representatives of legal institutions from across the wider South East Europe region and of the project's supporters.

Representatives from the Wider Region

- Stanislav Splavnic, LLM - Research Associate at Konrad Adenauer Foundation Rule of Law Programme SEE
- Stoyan Lazarov - Prosecutor, Prosecutor's Office - Sofia, Bulgaria
- Marta Šamota Galjer - Deputy Head, State Attorney's Office for the Suppression of Corruption and Organised Crime (USKOK), Croatia
- Radu Botezatu - Head of the International Cooperation Unit, Criminal Asset Recovery Agency, Moldova
- Gabriel Nicușor Cristian - Prosecutor/ Directorate for Investigating Organized Crime and Terrorism (DIICOT), Romania

The Final Project Publication

The final conference was accompanied by a report dedicated to assessing the work of the AIRE Centre and RAI over the lifetime of the project. The report was authored by Jill Thomas, with further contributions made by the relevant national project coordinators. Analysing the progress and developments made in the region over the course of the project, the report focuses on both domestic and international asset recovery, and specifically asset recovery policy; asset seizure; management; confiscation; disposal; international cooperation and the collection of asset recovery statistics. The report also includes a review of financial investigation capacity, specifically in relation to tracing assets that may later become, or already are subject to, a freezing, seizure or confiscation order.

This report provides an overview of the current level of asset recovery practice in the region as of March 2021 and will provide a base level, against which future analysis and improvements can be judged.

The report, 'Combating Corruption in the Western Balkans: strengthening regional cooperation in the field of asset recovery' may be found [here](#).

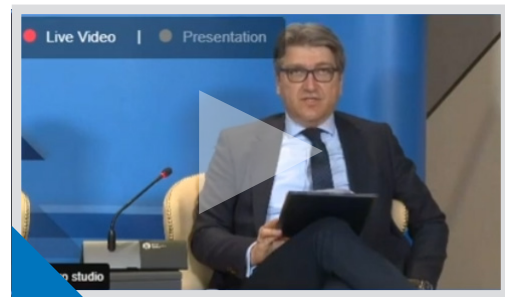
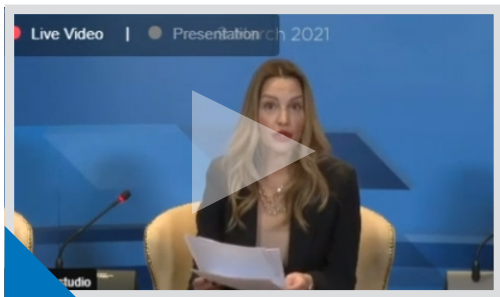


[Opening Speeches](#)

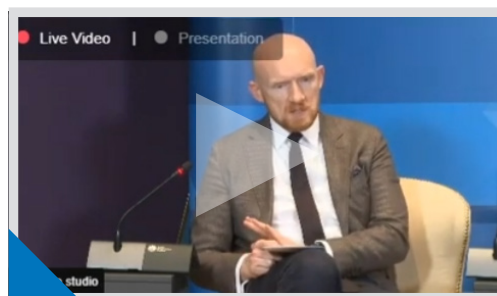
The conference began with opening speeches from the project's organisers and supporters:

- Biljana Braithwaite – Western Balkans Programme Director for the AIRE Centre
- Vladan Joksimovic – Head of Secretariat, the Regional Anti-Corruption Initiative
- Matthew Field – British Ambassador to Bosnia and Herzegovina

Each of these speeches provided an insight into the importance of asset recovery for any attempt to effectively combat corruption and organised crime. Programme Director Biljana Braithwaite was clear that the unique shared history of the region created excellent opportunities for shared progress and coordinated action. Head of Secretariat Vladan Joksimovic then spoke of the importance of involving the wider region over the course of the project and of sharing experience and professional expertise in order to create effective networks.



UK Ambassador Matthew Field closed the opening addresses with a speech that reminded participants of the human cost of corruption and organised crime, the extent of global illegal financial behaviour and how the burden of ensuring effective asset recovery can be shared effectively through international cooperation.



2. The Conference Agenda

Under the title *Combating Corruption in South East Europe: Strengthening Cooperation in the Field of Asset Recovery*, the conference was organised into four substantive parts.

1. International experts gave presentations on the how the ECtHR, GRECO and EUROPOL approach the question of asset recovery and the importance of cooperation to successful and effective anti-corruption practice.
2. The author of the concluding report, Jill Thomas, presented an overview of her findings and provided a snapshot of the current state of asset recovery in South East Europe as well as potential future pathways towards more effective practice.

3. Participants in regional hubs discussed the report, the conference to that point and the work of the project over the preceding years. Their conclusions and suggestions for future progress were then presented by the national project coordinators.
4. Experts and project supporters from the wider region presented their thoughts on the project and the future of asset recovery in South East Europe.

For further information and a more detailed look at the conference's structure please see the Agenda [here](#).

3. The International Perspective on Asset Recovery

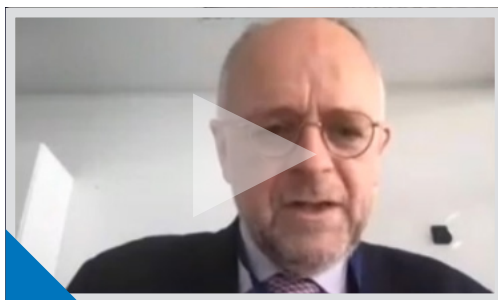
Tim Eicke

Judge Tim Eicke, the ECtHR Judge Elected in Respect of the United Kingdom gave the first of three speeches providing the perspective of key international institutions.

Judge Eicke focused on explaining the approach taken by the ECtHR in cases relating to asset recovery. He was clear that the Convention provided protection to everyone involved, not just the targets of the asset recovery action but also the victims of criminal conduct as well as each party's legal representatives and even third parties. The judge stressed that there was no way for national authorities to opt out of the Convention's protections, even when operating internationally or under international obligations.

Judge Eicke went on to explain that while there was a need to protect the rights of all, the fight against organised crime and corruption was recognised by the Court as strongly in the public interest; the Court clearly recognising the importance of asset recovery and anti-corruption work for the rule of law and human rights protections everywhere.

A full video of Judge Eicke's speech may be found [here](#).



Further information on the ECtHR's approach to asset recovery and property rights may be found in the project's second publication on effective asset recovery and European and international standards. This may be accessed [here](#).

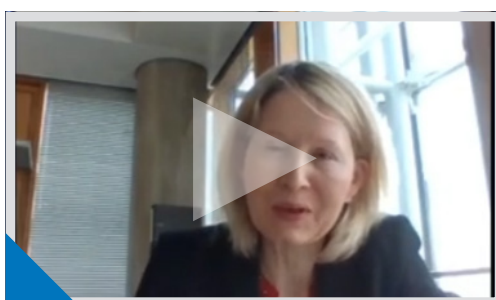
Hanne Juncher

Hanne Juncher, Executive Secretary of the Council of Europe's Group of States Against Corruption (GRECO) gave the second speech.

Executive Secretary Juncher unpacked the approach taken by GRECO and the Council of Europe more widely to asset recovery measures and its importance to effective criminal justice policies. Highlighting the importance of the 2005 Warsaw Convention to the Council of Europe, she explained the symbiotic relationship between the work of GRECO, MONEYVAL and the ECtHR when it came to supporting the international fight against corruption and organised crime.

The impact of Covid-19 was also considered, as the importance of the Council of Europe's Medicrime convention, covering counterfeiting and fraud in relation to medical devices and medicines, and GRECO's recently issued guidance on corruption related to the pandemic was brought to the attention of participants.

A full video of Executive Secretary Juncher's speech may be found [here](#).



Further information on the practicalities of international asset recovery, and the institutions involved in that work, may be found in the project's third publication on tools and best practices for international asset recovery cooperation. This may be accessed [here](#).

Burkhard Muhl

Burkhard Muhl, Head of the European Financial and Economic Crime Centre (EFECC) at EUROPOL gave the third speech.

EFECC Head Muhl began by explaining the role of the newly created European Financial and Economic Crime Centre, a single department within EUROPOL dedicated to the tracing, seizure and confiscation of criminal assets in the EU and beyond. He emphasised that the current levels of cooperation in the EU have taken time to implement, and that this cooperation was vital to any successful operation between Member States.

Muhl further explained how the Covid-19 pandemic and related criminal activities have led to greater risks of criminal behaviour and that EUROPOL works closely with EU Member States to counter such potential problems. He went on to present how fraud has been the most notable current issue, with intermediaries in public procurement and health contracts the key risk areas due to their potentially fraudulent nature.

A full video of EFECC Head Muhl's speech may be found [here](#).



Further information on the practicalities of international asset recovery, and the institutions involved in that work, may be found in the project's third publication on tools and best practices for international asset recovery cooperation. This may be accessed [here](#).

4. The Project Report

After the initial speeches presenting an international view of asset recovery had been made, the concluding report of the AIRE Centre and RAI's two year project was presented by its author, renowned international asset recovery expert Jill Thomas. The report, entitled 'Combating Corruption in the Western Balkans: strengthening regional cooperation in the field of asset recovery' provided an overview of the state of asset-recovery practice in the region and highlighted the significant successes of the project.

Thomas' presentation went through each area of practice highlighted by the report, including asset recovery policies, Covid-19 and asset recovery practice, financial investigations, asset recovery legislation, and regional asset-management practice. The speech and the report highlighted the many challenges that remain, including the need to share statistics and good practice, as well as the need for better communication between regional investigatory institutions.

Jill Thomas' speech concluded with the acknowledgment that while the jurisdictions of the Western Balkans had made real progress over the course of the AIRE Centre and RAI project, greater cooperation was still required to increase the efficacy of the region's asset recovery practice.

A full video of Jill Thomas' speech may be found [here](#).



Jill Thomas' concluding report on the AIRE/RAI project may be found [here](#).

5. Regional Conclusions

Presenting the discussions from each of the regional hubs were the six national project coordinators.

Belgrade

In Belgrade, Judge Radmila Dragičević-Dičić of the Serbian Supreme Court of Cassation, presented the results of her hub's discussions and their conclusions on the project's preceding two years. Highlighting the importance of extended and classic asset recovery to effective criminal investigations and prosecutions, the hub also concluded that further work was needed in relation to asset management, financial investigations, compliance with ECtHR jurisprudence and international asset sharing agreements.

Judge Dragičević-Dičić's speech may be found [here](#).

The relevant section of the concluding report may be found [here](#).



Podgorica

In Podgorica, Aleksa Ivanović, Chairman of the State Election Commission of Montenegro, presented the results of his hub's discussions and their conclusions on the project's preceding two years. Establishing that base levels of asset recovery have been low in the past, and consequently that there was a lack of national jurisprudence on the subject, the hub emphasised the need for greater regional communication between asset recovery practitioners and those involved in the asset recovery process. The hub also identified the collection and analysis of statistics as crucial for regional improvements, alongside greater training for and cooperation with law enforcement.

Chairman Ivanović's speech may be found [here](#).

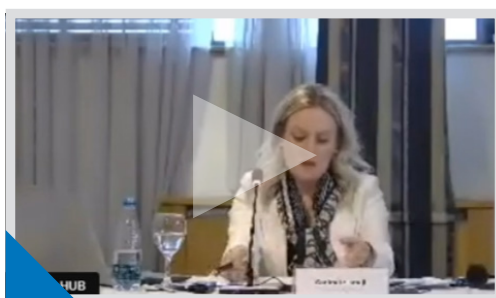
The relevant section of the concluding report may be found [here](#).



Priština

In Priština, Ganimete Ismajli, Lecturer at AAB College, presented the results of her hub's discussions and their conclusions on the project's preceding two years. Particular emphasis was placed on the need for three specific developments to be taken forward: a regional network of asset recovery professionals dedicated to sharing good practice and experience, the collection, analysis and sharing of statistical data related to asset recovery, and greater engagement with existing bilateral asset sharing agreements as well as support for the further creation of multilateral asset sharing agreements.

Ganimete Ismajli's speech may be found [here](#).



The relevant section of the concluding report may be found [here](#).

Sarajevo

In Sarajevo, Professor Eldan Mujanović, of the Faculty for Criminalistics, Criminology and Security Studies and Criminal Policy Research Centre at the University of Sarajevo, presented the results of his hub's discussions and their conclusions on the project's preceding two years. Discussions in the Sarajevo regional hub stressed the importance of integrating asset recovery into the everyday actions of law enforcement and criminal investigations, and that a network of regional asset recovery experts would be important for embedding an asset recovery mentality into all aspects of law enforcement and the legal system. The hub also concluded that further work was needed to train judges in relation to asset recovery, particularly confiscation, and that the sharing of information, statistics and practice between national, regional and international entities and institutions will be key to improving future performance.

Professor Mujanović's speech may be found [here](#).

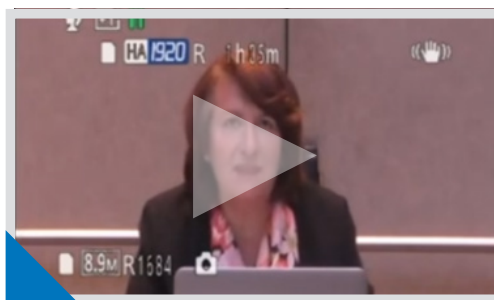


The relevant section of the concluding report may be found [here](#).

Skopje

In Skopje, Mirjana Lazarova Trajkovska, Judge of the Supreme Court of North Macedonia and former judge of the ECtHR, presented the results of her hub's discussions and their conclusions on the project's preceding two years. Briefing the conference on what has been accomplished by the hub participants over the last two years, the hub emphasised the need for better cooperation between institutions and jurisdictions over the development of legislation and the exchange of good practice. The hub proposed the holding of regular hybrid and digital meetings between judges and prosecutors across the region as well as between others involved in asset recovery. The need for greater efforts in establishing asset sharing agreements and a shared statistical databases were also raised.

Judge Lazarova Trajkovska's speech may be found [here](#).

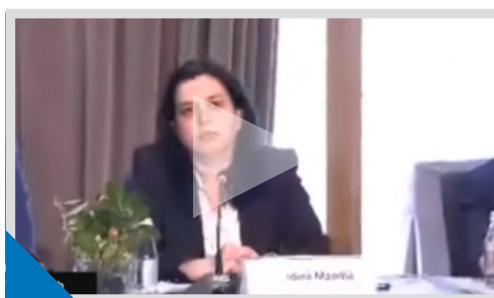


The relevant section of the concluding report may be found [here](#).

Tirana

In Tirana, Ledina Mandia, lecturer at the Law Faculty of Tirana, presented the results of her hub's discussions and their conclusions on the project's preceding two years. Discussions in Tirana focused on the need for statistics to form the foundation of international cooperation and the need for a shared platform to facilitate networking and the sharing of expertise between practitioners. Guidance on ECtHR jurisprudence was described as a priority and further work on bilateral and multilateral asset sharing agreements was identified as providing a clear opportunity for increasing the efficacy of regional asset recovery practice.

Ledina Mandia's speech may be found [here](#).



The relevant section of the concluding report may be found [here](#).

6. The Future of Asset Recovery in South East Europe

Speaking on behalf of legal institutions from across the wider South East Europe region and the project's supporters were representatives from Bulgaria, Croatia, Moldova, Romania, the UK and the Konrad Adenauer Foundation.

Stanislav Splavnic, research associate at the Konrad Adenauer Foundation's Rule of Law Programme For South East Europe, emphasised that the rule of law and respect for the rule of law had to permeate the everyday practice of crime fighting efforts in the region, and that asset recovery and human rights should be viewed as complementary rather than in opposition.

Stoyan Lazarov, prosecutor in the Sofia Prosecutor's Office, Bulgaria, stressed the need to integrate asset recovery into all areas of law enforcement. He noted that the study visits organised under the auspices of the project were especially helpful, and that the need to maintain and improve regional communication and introduce a regional asset recovery practitioners network was vital for the progress of the region.

Marta Šamota Galjer, Deputy Head of the Croatian State Attorney's Office for the Suppression of Corruption and Organised Crime, brought the importance of addressing existing obstacles to asset recovery to the attention of participants, and in this vein highlighted the fact that the real-time flow of information and intelligence was key for the implementation of effective asset recovery measures against criminals who were not limited by borders.

Radu Botezatu, Head of the Moldovan International Cooperation Unit of the Criminal Asset Recovery Agency, spoke of the importance of developing good practice in non-conviction based confiscation and of digitalising processes of law enforcement and international cooperation between countries in South East Europe. He reinforced the idea that the future of asset recovery across Europe was in international cooperation and that the creation of shared tools and networks between jurisdictions would be a helpful next step.

Gabriel Nicușor Cristian, a prosecutor in the Romanian Directorate for Investigating Organised Crime and Terrorism, raised the excellent point that at every stage of the asset recovery process there were substantial challenges for law enforcement and investigators, and that practical steps taken to overcome these challenges should never lead to injustice. The importance of continued and up to date training for police officers and financial investigators was also highlighted.

Jill Thomas, author of the AIRE Centre and RAI project's concluding project report and renowned asset recovery expert, emphasised that the networks of communication and sharing of expertise should always complement, rather than replace, existing networks and thereby build on and extend existing links between institutions and individuals.

A full video of the contributions described above may be found [here](#).

7. Technology and the Closing Conference

In 2021, no organisation and international event can take place without a clear dependence on information technology. The success of any event, especially one spanning numerous countries and involving international attendees, relies on the effective use of such technology. The AIRE Centre and RAI's closing conference was no exception. With the regional hubs connected to the central hub via video link it was vital that the technological solution to the problems posed by the Covid-19 pandemic was smooth and professional.

The AIRE Centre has experience in holding international hybrid and virtual events, and uses KUDO as the software to broadcast these events and to provide a connection in high definition between central hub discussions and each of the city hubs. This software allowed for seamless simultaneous translation into multiple languages, with English, BCMS, Albanian and Macedonian available to all online participants and to delegates in each regional hub. Online participants were able to join from their computers or their phones after completing a registration form and to follow the video feed and contributions from each hub during the course of the event.

8. Closing Remarks

After three years of work and improvements across South East Europe, asset recovery remains a complex and challenging aspect of criminal investigation and law enforcement. However, given the improvements sparked and catalysed by the last two years, regional participants can be proud of their good work and look with hope and expectation to a future where asset recovery and regional cooperation go hand in hand.

In his closing remarks, Vladan Joksimovic collected the strands of thought that ran through the event and collated them into three main ideas. The importance of regional cooperation, a desire for greater statistical collection and analysis, and further improvements in relation to bilateral and multilateral asset sharing agreements.

Biljana Braithwaite then closed the conference by praising the contributions of all the event's participants and highlighting the successes of the project's work. Taking onboard the feedback of participants and the topics of discussion, Biljana assured participants that the work they have undertaken will be continued and that the AIRE Centre is committed to continuing its role in facilitating regional cooperation in asset recovery across the region.

The closing remarks may be found [here](#).

9. Beyond the Closing Conference

Main Takeaways From Discussions

The following main takeaways can be drawn from the discussions and debates that took place at the closing conference.

- There is widespread support and desire for the introduction of an informal regional network of asset recovery professionals. Such a network would provide a platform for the exchange of good practice on the legal and institutional aspects of asset recovery, the harmonisation and standardisation of practice and shared problem solving, and increased understanding of national systems within the region. This would lead to improvements in international enforcement of freezing, seizure and confiscation orders through mutual recognition and execution.
- Improvements in individual and institutional capacity for asset recovery must be accompanied by greater political cooperation between jurisdictions through efforts to introduce multilateral and bilateral asset sharing agreements. Such agreements would provide a mechanism for international cooperation and enforcement in relation to freezing, seizure and confiscation orders, something of particular relevance in the region, as assets liable for seizure and confiscation are often spread across multiple jurisdictions due to the strong economic and historical links between the countries
- There is a common understanding across all jurisdictions in the region that a standardised and centralised system for the recording, analysis and sharing of statistics would be highly beneficial for future asset recovery work. The current failure to collect comparable statistics ensures that the effectiveness of asset recovery regimes cannot be adequately monitored, evaluated and compared; so good practice cannot be identified between jurisdictions and institutions. The introduction of a standard regional model for the collection, analysis and sharing of statistics would therefore enable deeper regional cooperation and the identification and spread of good practice.
- Developing good and best practice in relation to classic and extended asset recovery remains important, and the improvements that have been made in this area over the last two years must continue to be built upon in the future.
- All forms of asset recovery involve some aspect of asset management. While specialist asset management agencies exist in the region and have taken on significant responsibilities, there remains an appetite for greater training and information regarding best practice in asset management and a desire to learn from other countries as to how best to practically and responsibly manage recovered assets.
- Asset recovery is a complex procedure that involves a variety of entities and institutions. There is consequently a need to ensure that every entity and institution involved maintains the same standards of effectiveness and competency to ensure that there is no weak link in the system. Ensuring that everybody involved, from the police to the judiciary, understands the processes and reasoning behind asset recovery is therefore an important step towards embedding sustainable and effective asset recovery practice.

The Next Steps

In response to the conversations held at the closing conference, the AIRE Centre, in partnership with RAI Secretariat, has pledged to do the following subject to the available resources:

- Establish a regional network of asset recovery professionals, to act as a vehicle for enhancing communication and dialogue between asset recovery practitioners in the region and lead to an increase in practical regional and international cooperation and the alignment of standards and good practice
- Support the introduction of further bilateral and multilateral regional asset sharing agreements, and improve understanding of those that already exist, in order to strengthen international and regional cooperation in asset recovery.
- Produce a standard model of statistical collection and analysis that can be used by all asset recovery practitioners in the region in order to provide them with the ability to assess the effectiveness of their work in comparison with national, regional and international peers, to harmonise their work with best practice and to communicate their successes to the wider public.
- Provide continued support to key institutions, including the judiciary and the prosecution services, so that they may continue to build capacity in asset recovery practices and embed the improvements already made into a sustainable independent system of law enforcement.

Thank you to everyone for their contributions and we look forward to working with you all in the future.