

# Frequently asked questions – International Centre for Asset Recovery (ICAR)

## 1 What is the International Centre for Asset Recovery (ICAR)?

ICAR is a specialised operational division of the Basel Institute on Governance dedicated to strengthening and supporting the capacities of developing and transition countries to recover stolen public assets. ICAR works through four main lines of intervention:

- Case advice and mentoring
- Capacity building training
- Legal and policy advice
- Global policy dialogue

## 2 What is asset recovery?

A strict definition of asset recovery is the confiscation and return of illegally obtained assets – usually money – to the country from which they were stolen.

In fact, the return of the money is just the most headline-grabbing part of a much longer process, which covers four essential phases:

- Pre-investigative phase: investigator verifies the information initiating the investigation and determines its authenticity.
- Investigative phase: proceeds of crime are identified and located.
- Judicial phase: the accused person is convicted or acquitted and the decision on confiscation is final.
- Disposal phase: the property is actually confiscated and disposed of by the state in accordance with the law.

For more details, see our [Tracing Illegal Assets – A Practitioner’s Guide](#) and the [Guidelines for Efficient Recovery of Stolen Assets](#), developed in collaboration with the World Bank/UNODC Stolen Asset Recovery Initiative (StAR) as part of the Lausanne Process.

## 3 Why is asset recovery important in preventing and combating corruption?

Firstly, deterrence. People are more likely to engage in corrupt behaviour if they are confident that – even if they are caught and convicted – they and their families will still be able to enjoy

their illegally obtained wealth. Recovering stolen assets helps deter corruption by turning it into a higher-risk, lower-reward activity.

Secondly, by convicting corrupt officials and recovering stolen assets, countries can also generate funds for development and strengthen their criminal justice system. The end results are stronger rule of law, integrity and trust in government.

#### **4 In which countries does ICAR work?**

Headquartered in Basel, Switzerland, as part of the Basel Institute, ICAR works with partner countries in Central Europe, Africa, Asia and South America. Currently, key partner countries include Ecuador, Colombia, Indonesia, Kenya, the Republic of Kyrgyzstan, Malawi, Mozambique, Peru, Tanzania, Sri Lanka, Uganda and Ukraine.

#### **5 With which public institutions does ICAR work?**

Main counterparts include:

- Public national bodies mandated to investigate corruption, for example, the Anti-Corruption Bureau
- Attorney General's Office/Public Prosecutor's Office
- Ministry of Justice
- Judiciary
- Financial Intelligence Unit

#### **6 When and how does ICAR decide to engage with a partner country?**

ICAR responds to requests from governments for technical support and advice. It does not proactively offer its services. This helps ensure that there is some essential and hopefully real high-level political interest for ICAR's intervention. Requests for support are evaluated on the basis of:

- Impact, in terms of potential strengthening of the anti-corruption institutions or assets recovered
- Buy-in, i.e. level of political and real commitment
- Sustainability
- Availability of financial resources
- Complementarity with existing ICAR or Basel Institute projects and/or other anti-corruption initiatives
- Availability of in-house expertise and suitable staff
- Reputational, legal and operational risks

## **7 What governs ICAR relationship with a particular partner country?**

ICAR's formal relationships with governments depend on the size and complexity of the programme, but are always governed by at least a Case Consultancy Agreement. In some cases, we also sign a broader Memorandum of Understanding.

These documents set out the terms of our engagement and the tasks ICAR will perform over a specific period of time. Work plans and progress against them are discussed at regular meetings.

Of course, these formal documents and processes are only the bare bones of a relationship. They mean little without the trust, mutual respect and personal relationships that we take care to build up with our partners, usually over many years.

## **8 How is ICAR funded?**

Currently, five government donors support ICAR with core funding:

- Swiss Agency for Development and Cooperation (SDC)
- UK Foreign, Commonwealth & Development Office (FCDO)
- Principality of Liechtenstein
- Government of Jersey
- Norwegian Agency for Development Cooperation (Norad)

In some countries we also receive project-specific support from our core donors' country offices and other bi-lateral organisations.

## **9 To whom is ICAR accountable?**

We are accountable to the beneficiary governments for what we promise to deliver in our mutually agreed frameworks and work plans.

We are also accountable to our core donors who we meet twice a year to review progress against our Operational Strategy. They act as a steering group for future strategic decisions and actions.

Finally, we are also accountable to project-specific funders for individual projects, through the regular reporting mechanisms.

## 10 Who works for ICAR?

Currently ICAR has a team of approximately 30 staff, some based at headquarters, others based in the field in ICAR partner countries.

The team includes experts in financial intelligence and analysis, investigation and/or prosecution, with relevant backgrounds in asset recovery and financial crime, as well as programme management and coordination experts.

## 11 What are ICAR's greatest challenges and risks?

There are inevitably reputational, legal and operational risks involved in working to prevent and combat corruption. For field staff, this includes physical risks to themselves and their families.

The risks differ according to each country and, with the help of an external security advisor, we conduct detailed risk profiles and implement measures to mitigate them.

The main challenges common to all country programmes are building trust and reaching across cultural barriers.

The availability of reliable data, for example on cases and prosecutions, hinders case progress and makes it extremely challenging to quantitatively measure our outcomes and final impact. This is particularly the case in many of the jurisdictions in which we operate, where capacity and resources for data collection are an issue.

## 12 Does the work of ICAR have an impact and can it make a difference?

Yes. Since its establishment in 2006, ICAR has seen a number of success stories which demonstrate how it is making long-term sustainable impact in its partner countries. Some recent examples:

- In Peru, a settlement agreement was reached in relation to some USD 20 million that had been frozen in a European jurisdiction since 2005.
- In Kenya, the Ethics and Anti-Corruption Commission recovered USD 231 million in stolen assets last year with ICAR assistance – nearly six times more than the previous year. Three county Governors have been charged as a result of investigations supported by ICAR, as well as a member of parliament.
- In Sri Lanka, ICAR has facilitated the exchange of intelligence from overseas jurisdictions to Sri Lanka law enforcement on a major corruption investigation. ICAR

specialists have further supported Sri Lankan law enforcement agencies to obtain evidence in the investigation through international mutual legal assistance.

- In Malawi, ICAR efforts to modernise the judicial system by testing legislative innovations led to the first ever use of plea bargaining in a high-profile case, as well as the first ever use of non-conviction based forfeiture order.
- The prosecutor responsible for the first recovery of assets linked to the Odebrecht scandal in Peru, for example, traces this success back to an ICAR training course and the subsequent hands-on mentoring and case support he received.
- Also in Peru, our experts are supporting the implementation of a non-conviction-based asset confiscation law that has the potential to help Peru recover assets stolen by corrupt officials who have since died or absconded.
- Some beneficiaries of ICAR training are now prominent leaders in the fight against corruption in their countries.

### **13 Does ICAR's work have wider benefits beyond recovering stolen assets and deterring corruption?**

Yes. We believe that supporting countries in recovering stolen assets and promoting sustainable development are mutually reinforcing. Helping countries recover stolen assets can mobilise important resources to finance development or poverty reduction efforts.

The asset recovery process itself also plays a critical role in strengthening some key foundations of sustainable development, such as the rule of law as well as strong, transparent and accountable institutions.

Read more in our Working Paper 29: [Recovering assets in support of the SDGs – from soft to hard assets for development](#)

### **14 What makes ICAR unique?**

It's the only outfit of its kind in the world. No other organisation offers the same unique, hands-on and specialised mix of technical expertise and mentorship in asset recovery, financial investigation and related fields. And no organisation in this area operates in such an agile, flexible and targeted manner, including being able to withdraw from an intervention if the context ceases to be enabling or no real results are forthcoming.

ICAR thrives on an extensive local and international network of professional relationships and contacts that enable and promote cooperation and mediation.