



G-77 AND CHINA STATEMENT ON THE 8TH SESSION OF THE OPEN-ENDED INTERGOVERNMENTAL WORKING GROUP ON ASSET RECOVERY DELIVERED BY H.E. AMBASSADOR LOURDES O. YPARRAGUIRRE, PERMANENT REPRESENTATIVE OF THE PHILIPPINES

Vienna, 11 September 2014

Mr. Chairman,

1. On behalf of the Group of 77 and China, allow me to congratulate you on your election as Chairman of this 8th Session of the Open-Ended Intergovernmental Working Group on Asset Recovery.

2. The Group also commends the Secretariat for the excellent preparations made to support the work of this session.

Mr. Chairman,

3. Return of stolen assets is a fundamental principle of UNCAC. As stated in its Article 51, States Parties shall afford one another the widest measures of cooperation and assistance in this regard. While Chapter V of the Convention is a groundbreaking mechanism to repatriate illicitly-acquired assets, the complexity of the situation on the ground dictates us all to improve our efforts on asset recovery. This is due to the fact that challenges are still faced by states. In this context, we wish to reiterate with concern the continued absence of adequate knowledge and action to implement such cooperation and assistance.

4. We also note with concern the diversion of national wealth from public resources, in particular its transfer abroad, which may compromise the potential for the development of the country of origin. In this vein, we emphasize the importance of the repatriation of public assets as an international obligation according to the Convention to the legitimate owners: the country of origin. The elimination of safe havens for stolen assets around the world is viewed as a high priority in the fight against corruption.

5. Another major challenge in recovering stolen assets is overcoming the bureaucratic procedures and legal barriers, and lack of political will in the requested State. More agile and simpler procedures should thus be put in place, while safeguarding the due process of law. We, therefore, urge all States, in the spirit of the Convention, and in accordance with their domestic provisions of laws, to facilitate the quick return of assets, to assist the requesting states in tracing, confiscation and recovery of assets and to minimize the costs for the requesting State.

6. In that spirit, we would like to recall Resolution 5/3 of the Conference of the States parties of the UNCAC, which encouraged States parties to afford each other international cooperation, including mutual legal assistance, in civil and administrative proceedings for the identification, freezing and confiscation of assets. With that in mind, and while recognizing the positive impact that international cooperation in such proceedings can have for the timely and efficient recovery of assets, the G-77 underlines the importance of the effort of identification of the scope of assistance that could be provided in the matter, as mandated by the aforementioned Resolution.

Mr. Chairman,

7. Since its inception, the Open-ended Intergovernmental Working Group on Asset Recovery has continued

its work in the right direction, which has among others, facilitated an exchange of ideas and experiences among States on ways and means to expedite the return of stolen assets.

8. In this regard, we welcome the results of the last meeting of the Open-ended Intergovernmental Working Group on Asset Recovery in August 2013, which inter-alia, invited States parties to pursue collection and systematization of good practices and tools in the cooperation for asset recovery, including the use and expansion of secure information-sharing tools with a view to enhancing early and spontaneous information exchange.

9. To conclude, we wish to assure you of our support and will fully contribute in the discussion in a constructive manner.

Thank you, Mr. Chairman.