



**Regional Seminar on Identifying, Restraining and Recovering
Stolen Assets in the OSCE Region**

Vienna, 5 September, 2012

Opening Remarks by

Ambassador Eoin O’Leary, Chairperson of the OSCE Permanent Council,
Permanent Representative of Ireland to the OSCE

Ladies and Gentlemen,
Distinguished Participants,

I am delighted to open the political segment of this important seminar and to share with you some thoughts about how we can be more effective in strengthening asset recovery and combating corruption in our region. I would also like to make some observations as to what, in the view of the Chairmanship the role of the OSCE could be in this regard.

However, first I would like to thank all participants from the first two days of this seminar, in particular the distinguished expert speakers and moderators, for their contributions to the seminar and for compiling a series of recommendations. Much ground has been covered, which will be presented in more detail both during today’s first plenary session, as well as at the upcoming Economic and Environmental Forum in Prague.

Ladies and Gentlemen,
Distinguished Participants,

One of the main messages that has emerged from the discussions was the importance of more effectively implementing the UN Convention against Corruption and other international standards aimed at the prevention of corruption and theft of assets. An area that deserves more attention and needs further consideration and work is of course the question of how

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these international standards can be incorporated more effectively into domestic legislation and regulatory frameworks.

Stronger political will' was identified as the key condition for success here. Indeed, without a strong will and readiness to act and change things for the better – including at the highest political levels of a country – chances for real, durable and long-term improvements and progress remain slim. International conventions and legal instruments can be acceded to, signed and ratified – these are mere technicalities. However, if the willingness to turn these international standards and provisions into well written, implementable and enforceable national laws is missing, and if they are not supported by strong institutions and concrete programmes and actions, then progress will not be achieved.

In Ireland, work is on-going to introduce a new *Criminal Justice (Corruption) Bill*. The bill aims at clarifying and strengthening the existing law, criminalising corruption.

It is intended that it will:

- Replace and update the list of existing offences relating to giving or receiving bribes;
- Introduce new offences in relation to corruption influence peddling;
- Make provision for stiff penalties of up to 10 years imprisonment and unlimited fines for persons convicted on indictment; and
- Provide for the Courts to be given new powers to remove public officials from office and to exclude them from holding office for up to 10 years.

The scheme of the Bill will address offences committed by persons in both the private and the public sector. In the public sector it will apply to Irish public officials, which includes all Ministers, Members of the Houses of Parliament, civil and public servants, judges, local authority members and staff.

This is only one example of the various ways a country can transpose the provisions of an international convention, into its national regulatory framework.

Returning to our deliberations over the past two days, another issue that was raised frequently was the importance of further developing and strengthening existing inter-agency and international co-operation mechanisms in matters related to search, seizure and confiscation

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of stolen assets. To facilitate regional co-operation, practitioners have stressed the importance of networks and focal point initiatives. These provide an opportunity to learn from peers, contribute to the creation of knowledge and expert pools and develop common policy agendas. They also grant practitioners access to contacts in key jurisdictions and build trust – both of which provide an excellent basis for mutual legal assistance requests. Ireland's membership of the Camden Asset Recovery Inter-Agency Network (CARIN) for instance is of great assistance to the work of our Criminal Assets Bureau.

Ladies and Gentlemen,
Distinguished Participants,

Let me turn briefly to what in the Chairmanship's view might be the OSCE's added value in this field. Our broad membership and comprehensive approach to security are our greatest strengths. Threats such as corruption transcend borders and require countries to take a wider perspective and work in partnership with other states. To assist participating States in their efforts, the OSCE should continue its work on bringing together national and international stakeholders to discuss common priorities to address this threat. The OSCE can also continue to act as a forum to generate political support for the implementation of agreed standards and objectives in the anti-corruption and asset recovery fields. The OSCE might consider whether it can help countries to build their technical capacity to translate international standards into domestic legislation and more importantly to implement them. The OSCE could leverage the work of its Field Operations to support the participating States efforts.

Finally, the OSCE can play a role in facilitating the dissemination of best practices and helping build co-operation among relevant organizations in this field. The co-organizers of this event UNODC, World Bank, the StAR Initiative and the Basel Institute on Governance are of course the principle ones and the existing cooperation is both very welcome and something to be built upon.

In conclusion I would like to stress that from the Chairmanship's perspective this seminar is a start rather than an endpoint. Our discussions and deliberations will continue in Prague at the Forum and then continue here in Vienna as we consider how our OSCE commitments on good governance can be strengthened at the Ministerial Council in Dublin.

Thank you.