ASSET RECOVERY:
Common Obstacles and International Cooperation

International Expert Meeting: Addis II
May 7, 2019, Session II

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Complexity: Cuckoo Smurfing

Indonesian Stockbroker

LEGITIMATE TRADE COMMISSIONS

Andy

Australian Accounts of Stockbroker’s Daughters
Cuckoo Smurfing: What’s Really Going On?

Stockbroker
$50K

Andy: Coordinator

Remits $50K to Criminal Syndicate in Australia

Controller

Collector

Smurfs into stockbroker account

Splash page: $50K
Transactions: multiple deposits under $10K
Lifecycle of an Asset Recovery Case

- Gather information
- Convert information into actionable evidence
- Freezing and confiscation
- Asset disposal and distribution
Information Gateways

- Open Source
- Databases
- Networks: formal and informal cooperation
- FIUs
- Other gateways: treaties, bilateral agreements

Challenges:

- Evidence under MLAT - can it be used in an NCB case?
- Tax information
- Confidential informers
- Wiretaps
- Intelligence
NCB Options

- Civil lawsuits
- Enforcing a domestic NCB order abroad
- Seeking a foreign NCB order
Challenges and Ideas for the Future

- A civil MLAT
- Transparent information gateways
- Increased resources to support formal and informal networks
- Expansion of NCB as a tool
- Regularized asset sharing and cost recovery protocols
THANK YOU

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