



# Common African Position on Asset Recovery (CAPAR)

CoDA/AU HLP – IFFs Secretariat



## Background

- **Common African Position on Asset Recovery (CAPAR)** is a result of a realization that curbing IFFs is an existential imperative to free up substantial resources for the development of the people and countries of Africa.
- Since the first report by the African Union High Level Panel on Illicit Financial Flows (AU HLP – IFFs), published in 2015, a continental consensus emerged on the importance of recovery and return of African assets consigned abroad to meet the continent’s developmental needs.
- CAPAR was adopted by the AU Assembly of Heads of State and Government at its 33rd Ordinary Session, held from 9 to 10 February 2020, in Addis Ababa, Ethiopia.
- CAPAR is a political, policy, and advocacy instrument aimed at assisting in the identification, tracing, repatriation, and management of Africa’s assets for the common good of citizens, in accordance with **Africa’s development agenda, domestic laws,** and other legitimate government purposes, in a manner that **respects the sovereignty** of Member States.



## Pillars of CAPAR

- **Pillar One:** Detection and Identification
- **Pillar Two:** Asset Recovery and Return
- **Pillar Three:** Management of Recovered Assets
- **Pillar Four:** Cooperation and Partnership

A crucial component of CAPAR is its advocacy for creation of African Escrow Account(s)

- **Cross-cutting issues:**
  - Strengthening systems (domestic, regional and international)
  - Capacity building
  - Institutionalization



## Gaps

- Binding instruments such as UNCAC overlook assets lost through commercial channels.
- UNCAC provides excessive discretion for destination countries on return of assets.
- No mechanism for monitoring and evaluation of country level adoption of CAPAR.
- Weak institutionalization of asset recovery efforts in African countries.
- No peer-to-peer learning platform and exchange of information.



## Coordination Efforts

- The **Working Group on CAPAR** – a structure under the AU HLP – IFFs and comprising African institutions, national-level asset recovery authorities and experts working on asset recovery.
- Focuses on research, advocacy and promotion of collective action.
- Successful asset recovery efforts will heavily rely on our understanding of how to account for **cumulative flows**, the policy and legal frameworks under which illicitly lost assets currently exist and the regulatory dynamics at the global financial hubs.
- CoDA/AU HLP – IFFs Secretariat is collaborating with stakeholders in better understanding this space. We believe that this will help Africa create a coherent response to IFFs.