

Ukraine needs partners to recover assets stolen by Yanukovich regime

By [Gretta Fenner Zinkernagel](#) | Thursday, May 1, 2014 at 7:08AM



A conference organized by the Ukraine Anti-corruption Action Centre (AntAC) jointly with Ukrainska Pravda & GOPAC-Ukraine on April 24, 2014 in Kyiv identified many

challenges relating to the recovery of assets stolen by former President Yanukovich and his associates, and started a national dialogue to address these challenges.

Estimations about the total value of **assets stolen by the Yanukovich regime** vary greatly and foreign jurisdictions have not yet announced any specific amounts; but the issue at stake is not only the money but rather the question of justice and of impunity. The Government is under great pressure to recover the assets quickly, as expectations from those people whose protests have led to the fall of the Yanukovich regime are high.

The conference brought together senior representatives from the Ukraine government and civil society, experts from international specialist organisations (International Centre for Asset Recovery) and advocacy groups (Global Witness, Open Society Justice Initiative) and representatives from Switzerland, the U.S., Canada and the European Union.

First Deputy Prosecutor General of Ukraine, Mr. Mykola Holomsha, noted the difficulties faced by his office to trace assets due to the sophisticated use by the criminals of complex corporate structures in foreign jurisdictions. A discussion ensued also about the potential supporting role that investigating journalists and CSOs might have, as they can have access to different information sources and networks.

In response to these problems, Switzerland highlighted the need for a close partnership between involved jurisdictions and other stakeholders, which in previous cases has proven to be quintessential for successful asset recovery, and offered concrete expert assistance to Ukraine. Similarly Global Witness stressed the need for both governments and CSOs to acknowledge their shared objectives and thus act in partnership rather than opponents.

A full panel was dedicated to the final stages of asset recovery, i.e. the return of stolen assets and their management.

Although even in the much older Lazarenko case, the moment of actual

return is still at least one year away (\$250 million has been frozen in the U.S.; litigation is currently ongoing), the panelists acknowledged the need for an early dialogue within and between governments, and with the concerned society, to determine adequate asset management procedures.

In this context, participants agreed that the assets should benefit the victims -- considered to be the people of the country where assets have been stolen -- and that enhanced monitoring, including with participation from civil society, was critical to ensure that returned assets are not stolen again.

*Gretta Fenner Zinkernagel is the Managing Director of **the Basel Institute on Governance**, where she's also Director of the Institute's International Centre for Asset Recovery. She has also worked at the Organisation for Economic Co-operation and Development (OECD) in Paris as manager for anti-corruption programs. She can be contacted **here**.*