



Challenges with Asset Recovery Prosecutor's Perspective

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- ▶ Archipelagic Island Nation
- ▶ 115 Islands
- ▶ 1,500 Kilometers East of Mainland Africa
- ▶ Population (census 2022): 100,447
- ▶ Total Area: 459 square km
- ▶ GDP (2023): USD2.9 Billion

Prosecution in Seychelles



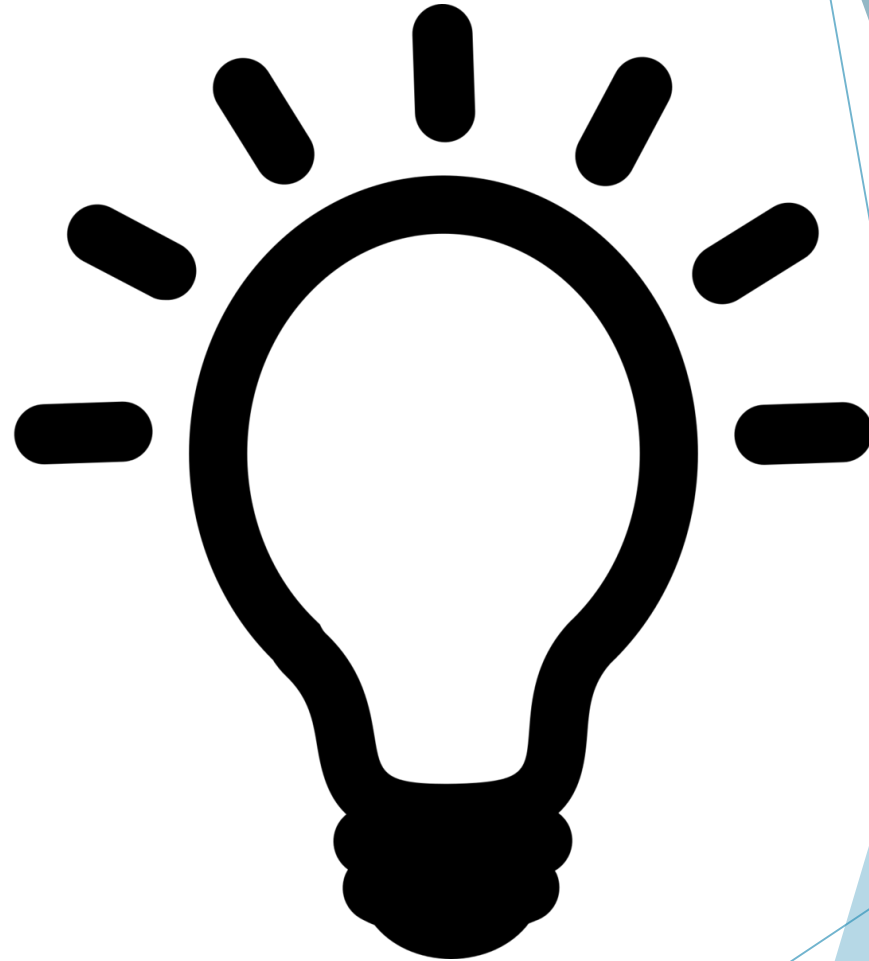
- ▶ The Attorney General decides on prosecution on behalf of the Republic
- ▶ The other institution that has limited prosecutorial power is the Anti-Corruption Commission of Seychelles
- ▶ Our tax authority does not have prosecutorial powers - only investigative powers
- ▶ Majority of criminal cases are submitted to the Attorney General's Office for prosecution
- ▶ The Financial Crimes & International Cooperation Unit of the Attorney General's Office

Main Challenges with Asset recovery



Improvements

- ▶ Improved legislative frameworks e.g. AML/CFT Act
- ▶ Combination of resources e.g. Major Case Management with involvement of different institutions on the TF
- ▶ Focus on parallel investigations. In other words, focus should be on gathering evidence that will result into parallel criminal, civil or administrative proceedings
- ▶ Provide general as well as specialist trainings to investigators, prosecutors and judges
- ▶ Engage with international partners for assistance





Operation Barracuda

- ▶ **Type** : Prosecution led
- ▶ **Main Suspects** : 2 male individuals & a Car Hire company
- ▶ **Facts** : Substantial amount of (unexplained) cash moving across Accused No. 1 bank accounts (personal/business/company accounts) resulting into property purchases including vehicles and land parcels. Accused No.1 was also taking loans to acquire properties and loan paybacks were effected with unexplained cash deposits. At times, Accused No.1 would also acquire vehicles from MVDs with cash. Accused No.1 was being assisted by Accused No.2 who ran his car hire business as well as suspected illicit operations for him. Upon arrest of Accused No. 1 & 2, substantial amount of cash was found and seized.
- ▶ **Criminal proceedings:** Arrested, charged together with other persons + remanded
- ▶ **Civil proceedings:** Assets worth approx USD3.9 million confiscated – including bank accounts, land parcels & car hire and personal vehicles



TF Members Role

- ▶ FIU's role = Feed the police with credible intelligence (mainly bank accounts, registration documents)
- ▶ SIS = Feed the police with credible intelligence / observes or monitor criminal operations
- ▶ Prosecution = Direct the investigation and evidence gathering based on situation at hand
- ▶ Police role = Convert intelligence into evidence (search warrants + letters of requests)
- ▶ Seychelles Revenue Commission = provide tax returns & any other information requested



Recommendations

- ▶ Have a strong Project leader
- ▶ Ensure there are sufficient members on the TF (especially file coordinator & logistic officer)
- ▶ Maintain a clear chain of command
- ▶ Being small means potential for leakage - put measures in place to deal for this eventuality.
- ▶ Asset management from seizure to confiscation (Asset Management Unit)

Thank You !

Questions



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