



Public Wrongs, Private Actions: Civil Lawsuits to Recover Stolen Assets (StAR Initiative)

Jean-Pierre Brun, Pascale Helene Dubois, Emile van der Does de Willebois, Jeanne Hauch, Sarah Jais, Yannis Mekki, Anastasia Sotiropoulou, Katherine Rose Sylvester, Mahesh Uttamchandani

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Over the last decade, the topics of corruption and recovery of its proceeds have steadily risen in the international policy agenda, with the entry into force of the United Nations Convention against Corruption (UNCAC) in 2005, the Arab Spring in 2011, and most recently a string of scandals in the financial sector.

As states decide how best to respond to corruption and recover assets, the course of action most often discussed is criminal investigation and prosecution rather than private lawsuits. But individuals, organizations, and governments harmed by corruption are also entitled to recover lost assets and/or receive compensation for the damage suffered. To accomplish these goals of recovery and compensation, private or 'civil' actions are often a necessary and useful complement to criminal proceedings. This study explores how states can act as private litigants to bring lawsuits to recover assets lost to corruption.

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