

APEC WORKSHOP 2015

TRAINING TOOL

SIMULATED SCENARIO

THE FERROWIND CASE

Guide for Participants

Purpose of the training

1. The following paragraphs will guide you and your team through The Ferrowind Case.
2. The Ferrowind case has been designed to train participants in the use of the investigative techniques included in ACTWG's Handbook "*Best Practices in Investigating and Prosecuting Corruption Using Financial Flow Tracking Techniques and Financial Intelligence*" as well as in "*Requesting Mutual Legal Assistance in criminal matters from APEC Economies: A Step-by-Step Guide*", published in November 2014.
3. Some tools for conducting basic financial investigations are available at the "Asset Recovery Campus", which comprises a free online collection of training courses designed by the Basel Institute on Governance. For solving the Ferrowind Case, we also recommend taking the courses "Financial Intelligence Using Excel" and "Visualize Cases and Flows of Money". Both courses are available for free at <https://campus.assetrecovery.org/campus/courses>.

Methodology

4. Each Member Economy will constitute a team which will lead its own investigation of the Ferrowind Case. Due to time constraints, this exercise has been designed for you and your team to analyze evidence already collected by a previous investigator.
5. Together with these Guidelines, you have received a folder containing:
 1. A letter by the previous investigator of the Ferrowind Case.
 2. A file with more than 30 pieces of evidence that had been already collected in this case by the previous investigative team. The evidence is organized in sub-folders for your own convenience.
6. Each team is expected to run the exercise in accordance with the legal system of its own economy.

7. In case of doubt, teams can contact the previous prosecutor in charge of the investigation by e-mail to the following address: williamgeorge.prosecutor@gmail.com

Deliverables

8. No later than August 17, 2015, each team shall send back to the facilitator the following:
 - a. A memo evaluating whether the evidence collected by the previous Prosecutor was obtained using the best practices recommended by the Handbook or if another investigative method/measure would have been more appropriate.
 - b. A memo assessing whether the evidence collected by the previous Prosecutor would be admissible under the constitutional and legal principles of each participant economy.
 - c. A memo analyzing the financial information collected by the previous prosecutor and establishing the money trail of the case. For completing this task, in addition of reading the corresponding Chapters of the Handbook, it is highly recommended to take the courses “Financial Intelligence Using Excel” and “Visualize Cases and Flows of Money”. Both courses are available for free at <https://campus.assetrecovery.org/campus/courses>.
 - d. A draft of the necessary MLAs requests or direct recovery measures in foreign jurisdictions directed to the restraining of the proceeds of crime and, if the legal requirements are met, its confiscation. Please note that the Guides for requesting mutual legal assistance from two involved jurisdictions –Arteria and Rigalia- have already been included in the dossier left by the previous prosecutor.

Workshop

On August 24, 2015 a workshop will be hosted in with all participants. Each team is expected to make a brief presentation of its investigation and results. The facilitator will discuss each team's deliverables and reach both specific and general conclusions.