

## Enriquecimiento ilícito – open-access book on illicit enrichment laws now available in Spanish

A Spanish translation of the Basel Institute's free open-access book on "Illicit Enrichment: A Guide to Laws Targeting Unexplained Wealth" is now available.

BASEL, SWITZERLAND, April 25, 2022 /EINPresswire.com/ -- The Basel Institute is delighted to announce that its open-access book, Illicit Enrichment: A Guide to Laws Targeting Unexplained Wealth by Andrew Dornbierer is now available in Spanish.

The book, <u>Enriquecimiento ilícito</u>: una guía sobre las leyes que abordan los activos de procedencia inexplicable, explores the rapid growth of illicit enrichment (unexplained wealth) legislation around the world and its use to target corruption and recover illicitly obtained assets.

Like the original English version, it is a peer-reviewed publication that is freely available to read, download and share at

illicitenrichment.baselgovernance.org.

\*Targeting unexplained wealth in the Spanish-speaking world\*

Many Spanish-speaking countries have drafted and introduced illicit



The Spanish version of this book will help lawmakers and practitioners in the Spanish-speaking world apply illicit enrichment legislation to target the proceeds of corruption and other serious crimes.



The translation offers the same features as the English version completely free.

enrichment legislation to target corruption. These laws are particularly prevalent in South and Central America, where 25 countries have already enacted some form of this type of law.

While some countries have had success using these laws – such as Argentina and Mexico – other countries seem hesitant to consistently enforce these laws. Most of these countries have never actually used their laws at all.

This is a common problem throughout the world. Why? One reason is that there isn't a significant amount of commentary and guidance regarding

18	1.4 Categorías de leyes sobre enriquecimiento ilícit	4
¿Ley sobre enriquecimiento ilícito o ley sobre enriquecimiento ilícito cualificada?		1.5 Diferencia entre las leyes sobre enriquecimiento ilícito y otras leyes similares enfocadas a la recuperación de activos
a una persona basán obtención o el u	coner una sanción judicial ndose en la adquisición, so de una cantidad	Las constentisticas especificas de las leyes sobre enriquecimiento lícito las diferencian de otra leyes enfocadas en la recuparación de activos, como las leyes sobre decomiso sin condena y la leyes sobre decomiso ampliado. A continuación se exponen estas diferencias.
	os que no se justifica en los ingresos legítimos?	1.5.1 Diferencia entre las leyes sobre enriquecimiento ilícito y la legislación más amplia sobre decomiso sin condena
Ener que establece subyacente c Sí ¿El tribunal puede imp haya pruebas de un	NO mponer una sanción sin una sanción de dectara intropresidente? NO NO NO NO NO NO NO NO NO NO	El decomico trattoconta in contena (PCE) - tenete/in consolo como recuperación est confracción en contena- en la herminida de activoramismó de activos que a puede vidito para dentificar activos que non garancias o instrumentos del distitu. El docomiso sin como es un procedimiento judicial contra el activo en si, mas o contra una garancia. Por lo garante elega que se exteñera que autistar en la comisar de esta como en una como deninada du esta del cos que se activos en activos de esta como en una como de la como de esta de esta de la como esta de la como esta de las como de la como de las estatúras en la comisar de esta como en una como de las delas activos en las delas en las comisas en una para esta de las comos en una construita de las delas de las estatúras en las comisas en una como esta delas sobs en las delas entencias de una contenan garancias devinas de un actividad delastica, Las deposiciones interiores al enropuecimientos lícitos como para estableore, sugan esta estadores, nactividad delastica, Las deposiciones las concienas. No se exiger estableorer que cariora tacinos de las anosessas en procesaminos de enropuecimiento licitos para demiser de las anosessas en procesaminos de enropuecimiento licitos para demiser de las anosessas en procesaminos de enropuecimiento licitos para demiser de las anosessas en procesaminos de enropuecimiento licitos para demiser de las delas que na paracionanto de enropuecimiento licitos para demiser de las demiseras de las entenas paracionas de las decimas al considar. En las anosessas en una procesaminos de enropuecimiento licitos para demiser de las demiseras en procesaminos de enropuecimiento licitos para demiser de las demiseras paracionas de las decimas que nos entenas de para en paracionas de las decimas de las estas de las devisos que nos ente podob justificar si se compara o cas fundares de regionos cilagámessas.
	Independence No	Ademá, su tien el decomico in conten se suate enfocar en activitar el decomico en estato, la legistición de con enregisticamien indice na esta seria plas a positiva en también considere enalgencie elevido se visi posicianisto que contintarya al estilo de sida de una persona, agila las candidades de derema y inarge apatados los serivicios que langa recladade. Por ejemplo, a diferencia de munitas layers sobre decomica sin contente, al elevidande noter elevidentemico tiellos e nances puedes altaliza para identificar el elevidencia stategibilea que contribuyem al rivel de vida de una persona, como la resultación de una devalor.
	······	1.5.2 Diferencia entre la legislación sobre enriquecimiento ilícito

The book is filled with useful graphics and charts to help practitioners better understand and apply illicit enrichment laws.

how these laws can be drafted, investigated, prosecuted and adjudicated.

A Spanish version of Illicit Enrichment will provide much-needed guidance to Spanish-speaking law enforcement agencies throughout the Americas region. It will also provide some

## "

An important contribution to efforts to detect, sanction and prevent corruption by "going after the money". Hengeler Mueller is grateful for opportunity to contribute to the Spanish version." Sandra Comesaña, Hengeler

Mueller

foundational knowledge to practitioners regarding the investigation, prosecution and adjudication of these laws.

\*The challenge of translating concepts, laws and practice\*

This book was translated from English into Spanish by Pantoglot, Ltda. The translation was reviewed by Sandra Comesaña of <u>Hengeler Mueller</u>, a leading international corporate and white-collar law firm based in Germany. Commenting on the experience, she said:

"Andrew Dornbierer's and the Basel Institutes's work on

Illicit Enrichment is an important contribution to the international effort of detecting, sanctioning and eventually preventing corruption and other financial crimes by "going after the money". The book's practical guidance on asset recovery in more than 100 jurisdictions is an invaluable tool for practitioners from both the private and public sectors and academics alike that is now finally available in Spanish, facilitating ready access for individuals and institutions specifically from the Spanish and Latin American markets. Hengeler Mueller is grateful for having had the opportunity to contribute to the Spanish version. Hengeler Mueller regularly advises international clients in various matters involving complex questions of multi-jurisdictional asset recovery both on its own and together especially with the members of its Best Friends network of Europe's leading independent law firms."

The pro-bono support for the translation review was facilitated by The Academy of Financial Crime Litigators, an independent, non-partisan global centre that shapes and advances financial crime litigation practices for the future.

## \*About the book\*

Published in English by the Basel Institute on Governance in June 2021, Illicit Enrichment by Senior Asset Recovery Specialist Andrew Dornbierer features:

- Extensive analysis of jurisprudence and cases from around the world
- Tables, flow charts and graphics explaining key concepts
- Discussion of common questions and challenges

- Contributions from practitioners around the world, including a discussion of the introduction and evolution of Peru's criminal illicit enrichment offence by Dr. Alcides Chinchay, a Senior Prosecutor of the Peruvian Public Prosecutor's Office.

- Annex 1: A collection of laws from 103 jurisdictions, also as an online database (in English)

- Annex II: A step-by-step guide to financial investigations and source and application analyses to support illicit enrichment cases (in English)

Illicit Enrichment was developed and published by the Basel Institute on Governance through its International Centre for Asset Recovery, with research support from the NYU School of Law.

## \*Where to find it\*

You can find the online version at: illicitenrichment.baselgovernance.org. Re-use and re-sharing are encouraged under a Creative Commons CC BY-NC-ND 4.0 licence.

The book is also available to print at cost price from Amazon worldwide.

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