

ASSET RECOVERY DEPENDS ON CO-ORDINATED GLOBAL EFFORTS

By Michael Odeng

As Uganda intensifies its crackdown on corruption, a key question arises: Can the country effectively recover proceeds of crime stashed beyond its borders?

Since taking office in November 2025, the Inspector General of Government (IGG), Justice Alsha Naluzze Ratala has scaled up efforts to reclaim illicit assets, targeting high-profile cases, including that of former Office of the Prime Minister principal accountant Geoffrey Kazinda, who is serving a seven-year sentence for illicit enrichment.

Recent inspections of forfeited properties, such as rental apartment blocks in Bukoto in Kampala and Kiteende in Wakiso district, point to tangible progress domestically. However, as investigations continue to uncover billions of shillings in unexplained wealth, the recovery of assets hidden overseas remains a major test of Uganda's anti-corruption drive.

Despite the existence of legal frameworks to support asset recovery abroad, experts and anti-corruption agency leaders say efforts are constrained by the absence of a comprehensive mutual legal assistance law.

Mutual legal assistance refers to co-operation between states in obtaining or providing evidence for the investigation, prosecution, or adjudication of criminal cases.

Vicky Nabisenke, the assistant Director of Public Prosecutions in charge of international co-operation and asset recovery, said Uganda began developing a comprehensive Mutual Legal Assistance Act to strengthen responses to cross-border crime in 2024.

Currently, the country relies on the mutual legal assistance guidelines, a temporary framework for evidence gathering, asset freezing and international investigations.

Crafted by the Office of the Director of Public Prosecutions (ODPP), Nabisenke said the guidelines provide a framework for handling requests for legal co-operation between Uganda and other countries.

"Nevertheless, Uganda needs a comprehensive law on mutual legal assistance with a clear legal framework which defines procedures, clarifies roles and strengthens co-ordination," she said.

Nabisenke explained that once approved by the Attorney General, requests are forwarded to the ODPP for

CAN UGANDA TRACE, RECOVER STOLEN WEALTH HIDDEN ABROAD?



Wandera



Nabisenke



Agaba



Naluzze

review and execution.

She identified two types of requests. The first is outgoing requests, where Uganda seeks assistance from another country. In such cases, the ODPP prepares formal submissions outlining the evidence required to support domestic prosecutions.

The second, she said, is incoming requests, where foreign states seek assistance from Uganda. These may involve obtaining witness statements, securing evidence or tracing and recovering assets within the country.

"Mutual legal assistance enables authorities to trace, freeze and recover assets held abroad, while facilitating the collection of admissible evidence from foreign jurisdictions," Nabisenke noted.

Nabisenke cited a 2022 case in which Uganda recovered three stolen trucks taken to Tanzania. Following a formal request, Tanzanian authorities prosecuted the suspects and returned the vehicles to Uganda.

She observed that the process is complex, depending on the volume of evidence required, the nature of investigations and available resources.

She revealed that Uganda has established an inter-agency working group comprising the justice ministry, the Judiciary, Financial Intelligence Authority (FIA) and law enforcement agencies, which meets regularly to review and expedite pending requests.

Nabisenke highlighted several challenges associated with mutual legal assistance, including limited bilateral treaties, differing legal systems, language barriers and lengthy diplomatic procedures.

GUIDELINES LAUNCHED

During the launch of the mutual legal assistance

Why tracing assets abroad is hard

Marlon Agaba, the Anti-Corruption Coalition Uganda executive director, said it is often difficult to determine the scale of illicit wealth held abroad, especially when those responsible remain in power.

Agaba noted that only isolated cases come to light, such as individuals purchasing property overseas or fleeing with stolen funds to destinations like Dubai.

"Because much of the wealth is controlled by officials still in office, assessing the true magnitude of the problem is extremely difficult," he said.

He added that tracing assets abroad is complicated by issues of national sovereignty and limited access to information, noting that corruption is inherently transnational.

Agaba revealed that illicit funds are often channelled into offshore accounts, real estate and private enterprises across Africa, Europe and North America, posing a major challenge for recovery efforts.

guidelines in July 2024, the Attorney General, Kiryowa Kiwanuka, said the law should be fast-tracked so as to keep Uganda as an island of peace in the region.

On her part, Justice Jane Frances Abodo (now the principal judge) noted that the guidelines are intended to streamline procedures by simplifying and expediting the process through which requests for legal assistance are made and responded to, thereby reducing delays that often hinder the investigation and prosecution of transnational cases.

She added that the guidelines will serve as a training tool for law enforcement officials, prosecutors and judicial officers, equipping them with the knowledge needed to navigate what are often perceived as complex transboundary procedures.

GAP EFFECTS

FIA executive director Samuel Were Wandera said the absence of a comprehensive law undermines Uganda's compliance with international standards, particularly on

international co-operation, asset recovery and extradition.

"Effective investigation, prosecution and asset recovery depend on strong legal frameworks and co-ordinated global efforts," Wandera stated.

He added that while corruption and money laundering remain significant challenges, the public plays an important role by reporting suspected cases, as government agencies strengthen mechanisms to detect and combat financial crimes within the country and abroad.

HIDDEN ASSETS

Wandera said money laundering methods include transferring funds through formal banking systems under false pretences, physically moving cash across porous borders and using trade-based schemes such as under or over-invoicing. He also said criminals use shell companies to conceal ownership and the origin of funds.

On virtual assets, Wandera said although such entities are classified as accountable

persons, full regulation is still under development and a regulatory impact assessment is ongoing to support future legislation.

Virtual assets are digital representations of value that can be traded, transferred, or used for payment, such as bitcoin, ether and stablecoins.

Wandera said until then, individuals investing in virtual assets do so at their own risk, with limited avenues for redress in cases of fraud.

He said over the past three years, about 64 incoming requests have been handled, while around 12 have been made to other countries, though not all relate to corruption cases.

LEGAL FRAMEWORK GAPS

Although Uganda is a signatory to international instruments such as the United Nations Convention Against Corruption and the African Union Convention on Preventing and Combating Corruption, it lacks a specific law on mutual legal assistance.

As a result, Agaba said the country relies largely on informal arrangements and co-operation with other states.

Pheona Nabasa Wall, the Fidelis Leadership Institute executive director, said Uganda is estimated to lose over sh10 trillion annually to corruption and related crimes, with nearly half linked to cross-border activities.

"In many cases, offenders serve sentences, but later return to enjoy illicit wealth that was never recovered due to weak international co-operation," she said.

Kawempe North MP Elias Luyimbazi Nalukoola noted that in most cases, illicit wealth is deposited in banks abroad by corrupt politicians.

Nalukoola said determining when assets can be deemed stolen is complex, as it requires

SOME CASES

Marlon Agaba, the Anti-Corruption Coalition Uganda executive director, cited the case of former Nigerian leader Sanji Abacha, whose death in 2002 led to the discovery of billions of dollars in foreign accounts in Switzerland repatriated about \$32bn (about sh1.2 trillion) to Nigeria through a mutual legal assistance framework.

Similarly, in August 2008, the British government returned 40,000 pounds sterling (about sh200m) to Uganda, part of a bribe paid by a Danish firm.

Niels Tobiasen, the former private secretary in charge of scientific technology in the office of the President, was on trial in South Wales Crown Court, London, in connection with soliciting a bribe from a company that was to supply Uganda with security equipment.

Subsequently, Tobiasen, the managing director of a Wilshire Firm, pleaded guilty to paying a bribe and was given a five-month suspended sentence, which was suspended for a year while Tumukunde was jailed for a year for receiving the payment.

The court heard that Tumukunde demanded the bribe after Tobiasen's firm was given a contract to protect world leaders, including the Queen and Gordon Brown, during the Commonwealth Heads of Government Meeting in Kampala in 2007.

Tumukunde was later dismissed from office following his arrest and conviction by the London Court.

a formal legal process in a competent court established wrongdoing.

THE SCALE OF THE PROBLEM According to the Uganda Police Annual Crime Report 2024, financial losses from economic crimes, including cyber fraud and bank scams, reached sh1.02 trillion in 2024, a 16.4% increase from 2023, driven mainly by cyber-enabled fraud and breaches in the financial sector.