



**Conference of the States Parties  
to the United Nations  
Convention against Corruption**

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**Open-ended Intergovernmental  
Working Group on Asset Recovery**

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**Discussion guide for the thematic discussion on article 56  
(Special cooperation) and article 58 (Financial intelligence  
unit); and on article 54 (Mechanisms for recovery of  
property through international cooperation in confiscation),  
article 55 (International cooperation for purposes of  
confiscation) and other relevant articles**

**Note by the Secretariat**

*Summary*

The present note has been prepared by the Secretariat to guide the thematic discussion of the Open-ended Intergovernmental Working Group on Asset Recovery. The 7th meeting of the Working Group will focus on article 56 (Special cooperation) and article 58 (Financial intelligence unit) of the United Nations Convention against Corruption; and on article 54 (Mechanisms for recovery of property through international cooperation in confiscation) and article 55 (International cooperation for purposes of confiscation). The note provides relevant background information on these thematic areas, with a view to enriching the discussion of the Working Group.



## **I. Introduction**

1. In its resolution 1/4, the Conference of the States Parties to the United Nations Convention against Corruption established the Open-ended Intergovernmental Working Group on Asset Recovery. The Conference decided that the Working Group was to advise and assist the Conference in the implementation of its mandates on the return of proceeds of corruption.
2. In the same resolution, the Conference defined the functions of the Working Group, including assisting the Conference in developing cumulative knowledge in the area of asset recovery, particularly on the implementation of articles 52 to 58 of the United Nations Convention against Corruption, such as through mechanisms for locating, freezing, seizing, confiscating and returning the instruments and proceeds of corruption; identifying capacity-building needs and encouraging cooperation among relevant existing bilateral and multilateral initiatives; facilitating the exchange of information, good practices and ideas among States; and building confidence and encouraging cooperation between requesting and requested States.
3. The Working Group held its 1st to 6th meetings annually in Vienna, between August 2007 and August 2012.
4. In accordance with the workplan adopted at the 6th meeting, the Group is to hold at its 7th meeting a thematic discussion on cooperation measures, with reference to article 56 (Special cooperation) and article 58 (Financial intelligence unit), and on cooperation in freezing and seizure, particularly with reference to article 54 (Mechanisms for recovery of property through international cooperation in confiscation), article 55 (International cooperation for purposes of confiscation) and other relevant articles.
5. The activities of several international forums are relevant for the implementation of these articles, including the work of the Stolen Asset Recovery (StAR) Initiative of the World Bank and the United Nations Office on Drugs and Crime (UNODC), the Egmont Group of Financial Intelligence Units and the Financial Action Task Force.
6. The present note is aimed at assisting the Working Group in its deliberations and in determining its future activities. It identifies challenges linked to the implementation of related articles and possible responses to deal effectively with those challenges.

## **II. Thematic discussion on articles 56 (Special cooperation) and 58 (Financial intelligence unit)**

### **A. Article 56 (Special cooperation)**

#### **1. Background**

7. Article 56 of the United Nations Convention against Corruption (Special cooperation) provides that

Without prejudice to its domestic law, each State Party shall endeavour to take measures to permit it to forward, without prejudice to its own investigations,

prosecutions or judicial proceedings, information on proceeds of offences established in accordance with this Convention to another State Party without prior request, when it considers that the disclosure of such information might assist the receiving State Party in initiating or carrying out investigations, prosecutions or judicial proceedings or might lead to a request by that State Party under this chapter of the Convention.

8. Article 56 represents a significant advancement of the concept of spontaneous cooperation, which is introduced in article 46, paragraph 4. The practice of spontaneous provision of information, which exists in various areas, including that of tax matters, is the provision of information to another jurisdiction that is likely to be relevant to that other jurisdiction and that has not been previously requested.

9. Essentially, article 56 applies to money-laundering cases involving different jurisdictions, when the predicate offence took place in one jurisdiction and its proceeds have been transferred to another jurisdiction. The latter jurisdiction is encouraged to spontaneously send relevant information to the jurisdiction concerned, which may not be aware of the perpetration of the predicate offence on its territory or of the location of the proceeds. Other circumstances may arise that could prompt a spontaneous exchange of information in the framework of article 56, for instance, when there are grounds for suspecting that the perpetrators of a corruption or money-laundering offence or their associates are nationals or residents of another country.

10. The thematic report on the implementation of chapter IV (International cooperation) of the Convention (CAC/COSP/IRG/2013/9), which contains an analysis of the finalized review reports of 34 States parties, states that the spontaneous transmission of information to foreign authorities, envisaged in article 46, paragraph 4, and article 46, paragraph 5, of the Convention, has repeatedly been regarded in international forums as a good practice. In general, this practice was not specifically regulated. Two States parties reported having expressly regulated the spontaneous exchange of information between judicial authorities, and another had even designated a specific authority empowered to transmit information without prior request. Several States parties reported that even if not foreseen, spontaneous transmission was possible to the extent that it was not explicitly prohibited, and noted that such transmission occurred frequently through informal channels of communication available to law enforcement authorities. One State party reported that no legislative basis was needed to pass on spontaneous information, which may be related to confidential and investigative data (including personal data), to foreign authorities. This could be done through the provisions provided by the State party's Data Protection Act, which allowed for exemptions to the regulations found elsewhere, in particular for the purposes of crime prevention and detection.

11. In several cases, the spontaneous transmission of information is regulated explicitly for cases of money-laundering and terrorist financing and is found in specific national legislation against money-laundering and terrorist financing. Other national laws implicitly permit the practice.

12. In all cases, certain conditions for the spontaneous transmission of information must be met. These depend on the applicable national legislation and are usually in line with general conditions for information exchange. Some agencies are

authorized by law to exchange information with other agencies without the need for an agreement between them and on the basis of case-by-case arrangements. In other countries, as a matter of law or policy, a memorandum of understanding is needed prior to any exchange of information. Some countries allow the exchange of information on the basis of the principle of reciprocity.

13. Additional conditions in a number of national laws relate to confidentiality. In some countries, agencies can exchange information only with foreign agencies that have in place measures guaranteeing the privacy and confidentiality of the shared data.

14. Another condition relates to the type of foreign agency with which information can be shared. This is usually possible in a “symmetrical” way, i.e. between agencies of the same type (e.g. between financial intelligence units). However, some countries also allow for exchange of information between non-counterparts, referred to as “diagonal exchange of information”.

15. A diagonal exchange of information could be either direct between non-counterparts (e.g. directly between the financial intelligence unit in country A and the judicial authority in country B) or indirect. Indirect exchange of information refers to the exchange between non-counterparts but through the foreign counterpart (e.g. between the financial intelligence unit in country A and the judicial authority in country B, through the judicial authority in country A or the financial intelligence unit in country B).

16. The choice of a specific channel for the spontaneous transmission of information is usually left to the discretion of the State transmitting the information. The sending State can use official channels for mutual legal assistance, but in many cases it is deemed practical to allow direct channels of communication between relevant authorities. In the latter case, however, the legal framework of the receiving country should provide for the direct exchange of information, or at least should not prohibit it. States parties may wish to utilize already existing frameworks for information exchange, such as the International Criminal Police Organization (INTERPOL) for police, the Egmont Secure Web for member financial intelligence units or FIU.NET, which is a decentralized computer network supporting financial intelligence units in the European Union.

17. The existing frameworks for direct information exchange ensure that such exchange takes place across borders as informally and as rapidly as possible and without excessive formal prerequisites, while guaranteeing the protection of privacy and the confidentiality of the shared data. However, in most cases, such information cannot be used as evidence in criminal proceedings. Countries usually provide evidence to be used in criminal cases through mutual legal assistance procedures. Channels for direct information exchange should not be used as a substitute for those procedures.

## **2. Points for discussion**

18. The Working Group may wish to consider the following points for further discussion:

- States parties’ experience with the spontaneous transmission of information, relevant legislation and practices

- Challenges encountered by States parties, including lack of a legal basis in national legislation allowing for the spontaneous transmission of information or national legislation explicitly forbidding it or requiring excessive formal prerequisites (e.g. multiple national approvals, narrow understanding of the principle of reciprocity)
- Obstacles to the international exchange of information in general (whether spontaneous or not), including bank secrecy laws
- Measures to assist States parties in establishing required frameworks for spontaneous transmission of information, including adapting legislation frameworks, signing memorandums of understanding and other similar instruments that seek to encourage, promote and facilitate effective spontaneous exchange of information, or signing bilateral or multilateral treaties or joining existing frameworks for information exchange
- Effective ways to establish or strengthen communication channels, including mechanisms for sharing of information regarding the identity or contact details of the foreign authority to which the information is to be sent (information on the identified focal point)
- The development of strategies that aim to encourage and promote the use of spontaneous exchange of information. Such strategies might include carrying out comprehensive, regular and properly targeted awareness-raising or training exercises for competent authorities on the different aspects of the spontaneous exchange of information, including the use of existing provisions on the spontaneous transmission of information and the benefits of potential reciprocity
- Benefits of developing technical and practical guidance on when to consider a spontaneous exchange of information and how to improve the efficiency of such exchanges

## **B. Article 58 (Financial intelligence unit)**

### **1. Background**

19. Article 58 of the United Nations Convention against Corruption needs to be read in conjunction with article 14, paragraph 1 (b), which also makes specific reference to financial intelligence units.

20. The establishment of a financial intelligence unit is also reflected in other international instruments. In fact, the Convention draws on the definition of financial intelligence unit formalized in 1996 by the Egmont Group of Financial Intelligence Units. The first financial intelligence units were established in the early 1990s, and now about 140 have been admitted into the Egmont Group. A number of other international conventions also encourage States parties to establish financial intelligence units, including the International Convention for the Suppression of the Financing of Terrorism (1999) and the United Nations Convention against Transnational Organized Crime (2000). In 2003 the Financial Action Task Force adopted an explicit recommendation on the establishment of financial intelligence units (recommendation 26, which became recommendation 29 after

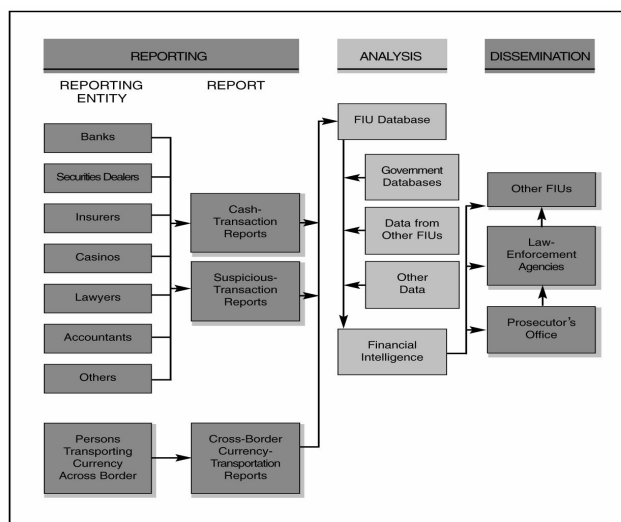
the 2012 revision). Similar provisions on financial intelligence units are also found in several regional instruments.

21. Types of financial intelligence units vary from country to country, but all should share three core functions. In their simplest form, they are public agencies that receive suspicious-transaction reports from financial institutions and other reporting entities, conduct analyses of such disclosures and disseminate the results to local authorities that are competent to combat money-laundering and terrorist financing.

22. Financial intelligence units should have access to or be able to proactively obtain information from both reporting entities and competent authorities. Moreover, they should be able to exchange information with foreign counterparts.

Figure

**Typical financial intelligence unit information flow**



Source: International Monetary Fund and World Bank, *Financial Intelligence Units: An Overview* (Washington, D.C., 2004).

23. Financial institutions and other bodies that are particularly susceptible to money-laundering must send suspicious transaction reports to the financial intelligence unit. The definition of “suspicious” could vary from country to country; the coverage of suspicious transaction reports also varies, depending on the range of underlying offences at the domestic level, which must include offences under the United Nations Convention against Corruption. Some financial intelligence units receive other reports, such as cash transaction reports, wire transfer reports and other threshold-based declarations or disclosures (including on cross-border cash transactions by cash couriers).

24. The analysis carried out by a financial intelligence unit should add value to the information received. Two main types of analysis are expected: Operational analysis, which uses information to identify specific targets (e.g. persons, assets, criminal networks and associations), to follow the trail of particular activities or transactions, and to determine links between those targets and possible proceeds of crime, money-laundering, predicate offences or terrorist financing; and strategic

analysis that uses information, including data that may be provided by other competent authorities, to identify money-laundering and terrorist financing-related trends and patterns.

25. The financial intelligence unit should be able to disseminate, spontaneously and upon request, information and the results of its analysis to relevant competent authorities. When a financial intelligence unit concludes its analysis and that analysis indicates the possibility of criminal activity, it is the mandate of the financial intelligence unit to transmit the results to the competent authorities for appropriate action.

26. Some financial intelligence units have additional functions assigned to them, such as blocking transactions and freezing accounts, conducting investigations, monitoring the compliance of reporting institutions with requirements relating to money-laundering and terrorist financing, training of reporting entities, conducting research, coordinating the development of national risk assessments relating to money-laundering and terrorist financing, coordinating national efforts against money-laundering and terrorist financing and enhancing public awareness of issues relating to money-laundering and terrorist financing.

27. Although there is no internationally accepted model for financial intelligence units, four basic models exist: (a) the administrative model, according to which the financial intelligence unit is either attached to a regulatory or supervisory authority, such as the central bank or the ministry of finance, or is established as an independent administrative authority; (b) the law enforcement model, whereby the agency is attached to a police agency; (c) the judicial or prosecutorial model, in which the agency is affiliated with a judicial authority or the prosecutor's office; (d) and the hybrid model, which is some combination of the other three.

28. Financial intelligence units are assessed by the Egmont Group when applying for membership, since only those that are in compliance with the criteria of the Egmont Group are eligible for membership. In other words, all financial intelligence units that are members of the Egmont Group should be in compliance with the Egmont definition of a financial intelligence unit and must be operational and exchange information internationally. Furthermore, the Financial Action Task Force, Financial Action Task Force-style regional bodies, the International Monetary Fund and the World Bank carry out assessments and mutual evaluations of financial intelligence units on the basis of relevant recommendations of the Financial Action Task Force (mainly recommendations 29 and 40).

29. Effective anti-money-laundering measures have the potential to detect the commission of predicate offences, including corruption-related offences, and to prevent their perpetrators from enjoying the criminal proceeds. As the cornerstone of such frameworks, financial intelligence units play a major role in fighting corruption, especially given that corruption-related money-laundering schemes typically use many of the same techniques as other types of money-laundering.

30. On the other hand, victims of corruption rarely report it. However, in an effective regime against money-laundering and terrorist financing, corruption-related transactions can be detected and determined to be suspicious by reporting entities, which then disclose this information to financial intelligence units. After conducting proper analysis, the latter can help to initiate a criminal

investigation by disseminating the results of their analysis to the competent authorities.

## 2. Points for discussion

31. The Working Group may wish to consider the following questions for further discussion:

- States parties' experience with cooperation between financial intelligence units and other competent national authorities to enhance the effectiveness of anti-corruption efforts
- States parties' experience with the role of financial intelligence units in conducting risk assessments and developing anti-corruption strategies
- Challenges to the implementation of article 58, which may relate to:
  - Bank secrecy laws
  - Identification of "politically exposed persons" and the identification of beneficial owners
  - Independent status of financial intelligence units irrespective of the model used
  - Lack of information on corruption-related cases and statistical data held by financial intelligence units (e.g. the number of suspicious transaction reports linked to corruption offences)
- The kind of technical assistance activities (national-level activities, regional and subregional workshops, development of substantive tools and publications) considered to be effective and efficient in facilitating the establishment or strengthening of financial intelligence units
- Lessons learned from other international bodies in support of financial intelligence units, in particular the Egmont Group, the Financial Action Task Force, the World Bank and International Monetary Fund
- The possible need for further guidance to States for the establishment or strengthening of financial intelligence units and the relevance of the provision of assistance to Member States for the establishment or strengthening of financial intelligence units in preparing States parties for the review of the money-laundering regime of the Convention in the second cycle of the Mechanism for the Review of Implementation of the Convention
- The possible benefits of organizing tailor-made training for financial intelligence units, in particular focused on the relevant provisions of the Convention, the role of financial intelligence units in national anti-corruption strategies and asset recovery efforts, and the relation between money-laundering and corruption
- Identifying tools, policies and procedures that will assist financial intelligence units in conducting their core functions of receipt, analysis and dissemination, taking into account the unique dynamics of corruption cases
- The possibility of developing advisory directives on corruption-related money-laundering indicators ("red flags")



### **III. Thematic discussion on article 54 (Mechanisms for recovery of property through international cooperation in confiscation) and article 55 (International cooperation for purposes of confiscation)**

32. Articles 54 and 55 of the Convention complement the general provisions on freezing, seizure and confiscation (art. 31) and mutual legal assistance (art. 46) in the field of asset recovery. They are important provisions, as offenders frequently seek to hide their ill-gotten proceeds in more than one jurisdiction in order to thwart law enforcement efforts to locate, seize and ultimately confiscate those proceeds.

33. Chapter V of the Convention addresses the question of how to facilitate the execution of international requests for provisional measures and confiscation. In principle, there are two possible approaches: either evidence can be submitted by the requesting State party in support of an application for a domestic order in the requested State, or the latter may allow the foreign order to be executed directly (recognition or direct enforcement). The Convention provides for both the direct enforcement of a foreign order and the seeking of a domestic order in the requested State.

34. Article 55 deals with the international aspect of cooperation, while article 54 concerns the domestic regime that has to be established in order to enable such cooperation. They are thus very closely related and complementary.

#### **A. Article 55 (International cooperation for purposes of confiscation)**

##### **1. Background**

35. Article 55 contains the obligation to support a confiscation request from another State party “to the greatest extent possible”. To that end, and in line with what has been explained in paragraph 33 above, the requested State may either submit the request to its competent authorities and apply, on the basis of the information provided in the request, for a domestic order of confiscation (art. 55, para. 1 (a)), or it may directly recognize and enforce a foreign confiscation order issued by a court in the requesting State (para. 1 (b)).

36. In either case, and even before confiscation, the requested State party must, upon request, take provisional measures to “identify, trace and freeze or seize” proceeds of crime, property, equipment or other instrumentalities for the purpose of eventual confiscation (para. 2). These are preliminary and preventive measures that are taken in order to enable and secure confiscation at a later stage.

37. Article 55, paragraphs 1 and 2, refers to article 31, paragraph 1. In this context, it should be pointed out that according to an interpretative note in the *Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Corruption*, references to article 31, paragraph 1, should be understood to include reference to article 31, paragraphs 5, 6 and 7 (intermingled or transformed proceeds).

38. Since article 55 deals with mutual legal assistance in the context of asset recovery, it has to be read in conjunction with article 46 (Mutual legal assistance).

Accordingly, paragraph 3 stipulates that article 46 is applicable, *mutatis mutandis*, to the present article. However, in addition to the information specified in article 46, paragraph 15, as the minimum content for a request for mutual legal assistance, requests made for purposes of confiscation pursuant to article 55 should contain, pursuant to article 55, paragraph 3, other information:

(a) A request for a domestic confiscation order (para. 1 (a)) must contain a description of the property to be confiscated, including, to the extent possible, the location and value of the property. Moreover, a statement of the facts relied upon by the requesting State party must be provided and must be sufficiently precise to enable the requested State party to seek the order under its domestic law. An interpretative note to paragraph 1 (a) clarifies that the statement of facts may include a description of the illicit activity and its relationship to the assets to be confiscated;

(b) A request for direct enforcement of a foreign court order (para. 1 (b)) must contain (i) a legally admissible copy of that confiscation order; (ii) a statement of the facts and information as to the extent to which execution of the order is requested; (iii) a statement specifying the measures taken by the requesting State party to provide adequate notification to bona fide third parties and to ensure due process; and (iv) a statement that the confiscation order is final (*res judicata*);

(c) Finally, for the purposes of paragraph 2, the requesting State party must provide (i) a statement of the facts it relies upon; (ii) a description of the actions requested; and (iii), where available, a legally admissible copy of an order on which the request is based.

39. Paragraph 4 clarifies that in any case, the applicable law is the domestic law of the requested State or any international treaty by which it may be bound in relation to the requesting State. However, if the requested State party can take measures for the purpose of confiscation only on the basis of a relevant treaty, the lack of such a treaty may not necessarily be grounds for refusal of cooperation. In fact, paragraph 6 provides that such a State party shall consider the United Nations Convention against Corruption the necessary and sufficient treaty basis.

40. Cooperation may, however, be refused and provisional measures may be lifted if the requested State party does not receive sufficient and timely evidence or if the property is of a *de minimis* value (para. 7). Nevertheless, the interpretative notes provide that both States parties will consult with each other on whether the property is of *de minimis* value or on ways and means of respecting any deadline for the provision of additional evidence. Likewise, before lifting any provisional measures, the requested State party must give the other State party an opportunity to present its reasons in favour of continuing the measure (para. 8).

## **2. Points for discussion**

41. The Working Group may wish to consider the following questions for further discussion:

- The relative advantages and disadvantages of the direct enforcement (recognition) approach and the indirect (domestic order) approach; whether direct enforcement has cost benefits and is speedier and more effective and

efficient and whether there should be a recommendation that States parties should, whenever possible, opt for direct enforcement

- States parties' experiences with requests for confiscation of instrumentalities that are merely "destined" for use in offences established in accordance with the Convention (art. 31, para. 1 (b)); in particular, experiences of States parties that do not criminalize preparatory acts (art. 27, para. 3)
- How to identify the location and estimated value of property, especially in the absence of automated central registries in a number of States parties
- How to locate bank accounts; especially in States parties with stringent bank secrecy laws
- How to seize and restrain assets for a long enough time to preserve assets while foreign proceedings are pending
- Domestic requirements with regard to property designation in requests and how to respond to such requests
- The use of anti-money-laundering legislation (e.g. on beneficial owner identification (art. 14)) to facilitate the implementation of cooperation requests
- How to enforce confiscation orders against legal persons in jurisdictions where criminal liability of legal persons is not recognized

## **B. Article 54 (Mechanisms for recovery of property through international cooperation in confiscation)**

### **1. Background**

42. Article 54 requires States parties to provide for the establishment of a domestic legal regime that enables the direct enforcement of foreign freezing and confiscation orders (para. 1 (a)) and the issuance of freezing and seizure orders for property eventually subject to confiscation, upon request from another State party (para. 1 (b)). It thus provides for the domestic mechanisms that are necessary so that the two options offered in article 55, paragraph 1, can be exercised. Therefore, the purpose of article 54 is mainly to enable the implementation of article 55.

43. The reference to an order of confiscation in paragraph 1 (a) may, according to the *Travaux Préparatoires*, be interpreted broadly as including monetary confiscation judgements, but should not be read as requiring enforcement of an order issued by a court that does not have criminal jurisdiction. The obligation contained in paragraph 1 (b) would be fulfilled by a criminal proceeding that could lead to confiscation orders. That provision also encourages the use of confiscation on the basis of money-laundering rather than on the basis of convictions for predicate offences in order to overcome challenges that States have faced in international confiscation cases.

44. Moreover, States parties must consider taking such measures as may be necessary to allow confiscation without a criminal conviction in cases in which the offender cannot be prosecuted by reason of death, flight or absence etc. (non-conviction-based forfeiture (para. 1 (c))). The term "offender" may be understood to include persons who may be title holders for the purpose of

concealing the identity of the true owners of the property in question (interpretative notes).

45. Like article 55, article 54 distinguishes between confiscation (para. 1) and freezing and seizing (para. 2). While the former is permanent and repressive, the latter is preventive and provisional in nature. According to article 54, paragraph 2, the legal regime of States parties must permit the State's competent authorities to take such provisional measures either on the basis of a foreign order (para. 2 (a)) or by issuing a domestic order to that effect (para. 2 (b)). The *Travaux Préparatoires* clarify that in the former case, a State party may choose to establish procedures either for recognizing and enforcing a foreign freezing or seizure order or for using such an order as the basis for seeking the issuance of its own order. Moreover, paragraph 2 (a) should not be construed as requiring enforcement or recognition of an order issued by an authority that does not have criminal jurisdiction.

46. In both cases, the requesting State has to provide a reasonable basis for the requested State to believe that there are sufficient grounds for taking such actions. The term "sufficient grounds" should be construed as a reference to a *prima facie* case in countries whose legal systems employ that term.

47. Finally, States parties must consider taking additional measures to allow for the preservation of property for confiscation (para. 2 (c)), e.g. on the basis of a foreign arrest or criminal charges. Such measures could include sequestering, injunctions, restriction orders, monitoring of enterprises or accounts, and others.

## 2. Points for discussion

48. The Working Group may wish to consider the following points for further discussion:

- The difference between or the relative advantage of freezing, seizing and restraining orders; whether States differentiate in their domestic regimes between freezing measures, where the frozen assets remain in the possession of the natural or legal person(s) that held an interest in them at the time of the freezing, and seizure, which allows the competent authority or court to take control of specified property
- The question of what constitutes a "reasonable basis" to "believe that there are sufficient grounds" for the freezing or seizing of property (art. 54, para. 2)
- Identification of the legal basis for the enforcement of foreign freezing and seizing decisions bearing in mind that those are preventive measures
- Bearing in mind that article 54, paragraph 2, deals with preventive measures, the question of how to satisfy the requirement of "reasonable basis" without a prior conviction
- The question of how requesting and requested States can jointly ensure that the requirement to provide a reasonable basis is satisfied
- National approaches to the implementation of article 54, paragraph 2 (c), in particular the types of preservation measures other than freezing and seizure that States have adopted; and whether the article provides for measures a State party can take of its own accord, without a prior request from another State party

- How to preserve, administer and manage frozen and seized property, especially in the case of perishable goods and goods that decrease or fluctuate in value (cars, shares, etc.); how to deal with properties having sentimental value; national experiences in this area
  - How legal procedures for freezing, seizing and confiscation can be simplified
  - States parties' experiences with non-conviction-based forfeiture
-