



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

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## Working Group on Asset Recovery

Vienna, 3-4 September 2015

Item 5 of the provisional agenda\*

**Thematic discussion on article 57 (Return and disposal of assets) and other relevant articles of the Convention**

### **Discussion guide for the thematic discussion on article 57 (Return and disposal of assets)**

**Note prepared by the Secretariat**

#### **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 and 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 tasked the Working Group with assisting the Conference in developing cumulative knowledge in the area of asset recovery, especially on the implementation of articles 52-58 of the United Nations Convention against Corruption. As specific areas of focus for the Working Group, the Conference identified, inter alia, 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 experiences among States; and building confidence and encouraging cooperation between requesting and requested States.

3. Between August 2007 and September 2014, the Working Group held eight annual meetings in Vienna.

4. In accordance with the workplan adopted at its sixth meeting, the Group is to hold at its ninth meeting a thematic discussion on article 57 (Return and disposal of

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\* CAC/COSP/WG.2/2015/1.



assets) and other relevant articles of the Convention. The present note is aimed at assisting the Working Group in its deliberations.

## II. Background

5. Article 57 of the Convention should be read bearing in mind the chapeau article of chapter V of the Convention (art. 51), which establishes the return of assets as a fundamental principle of the Convention. States parties are required to implement the provisions of the chapter in light of this fundamental principle and introduce legislation or amend their laws accordingly.

6. The Convention calls for the return of confiscated proceeds to the requesting State party, in accordance with the fundamental principle of article 51. Article 57, paragraph 3, specifies in greater detail the disposal of confiscated corruption-related assets, allows for compensation for damage to requesting States parties or other victims of corruption offences, and recognizes claims of other prior legitimate owners. Paragraphs 4 and 5 of article 57 provide for the coverage of expenses of the confiscating State party and ad hoc agreements on asset disposal between concerned States parties.

7. A recent study by the Organization for Economic Cooperation and Development (OECD) and the Stolen Asset Recovery (StAR) Initiative<sup>1</sup> has shown that effective recovery and, particularly, the return of assets remain a significant challenge for both requesting and requested countries. The study addresses recent developments on the return of assets from OECD countries, in comparison with the situation described in a study carried out in 2011. While the total assets frozen have increased, and OECD countries have undertaken more returns to developing countries than to other OECD countries, the study still pointed to a disconnect between high-level international commitments and practice at the country level. Further, a significant gap was observed between the results achieved and the billions of dollars that were estimated stolen from developing countries. Only \$147.2 million was returned by OECD members between January 2010 and June 2012, and \$276.3 million in the period 2006-2009, a fraction of the \$20 billion to \$40 billion estimated to have been stolen each year.

### A. General provisions

8. Article 57 requires States parties: (a) to dispose of property confiscated under articles 31 (Freezing, seizure and confiscation) or 55 (International cooperation for purposes of confiscation) as provided in paragraph 3 of the article, including by return to prior legitimate owners; and (b) to enable their authorities to return confiscated property upon the request of another State party, in accordance with their fundamental legal principles and taking into account bona fide third party rights (para. 2). According to an interpretative note, “prior legitimate ownership will mean ownership at the time of the offence” and the “return of confiscated property

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<sup>1</sup> StAR Initiative and OECD, *Few and Far: The Hard Facts On Stolen Asset Recovery*, available at [http://star.worldbank.org/star/sites/star/files/few\\_and\\_far\\_the\\_hard\\_facts\\_on\\_stolen\\_asset\\_recovery.pdf](http://star.worldbank.org/star/sites/star/files/few_and_far_the_hard_facts_on_stolen_asset_recovery.pdf).

may in some cases mean return of title or value.” Also the “domestic law” and “the legislative and other measures” referred to in this article mean the national legislation or regulations that enable the implementation of this article by States parties.<sup>2</sup>

9. In order to avoid difficulties flowing from domestic financial management restrictions, States parties must review existing laws, including general financial management laws and regulations, to ensure that there are no obstacles to the return of funds as required by article 57.<sup>3</sup> In addressing the question of return and disposal of assets, one of the issues at stake is whether, when and to what extent States can claim ownership of such property. According to article 57, paragraph 3, the preference is for the return of such assets to requesting States parties. At the same time, the provision recognizes that claims of requesting States parties may be stronger in some cases, in particular when the assets are the proceeds of embezzlement. In the case of other offences established by the Convention, a requesting State party may not be able to establish prior ownership or claim to be the only party damaged by some corruption offences. Proceeds from certain offences may involve criminal harm caused to the State, but the proceeds are not funds to which the State was ever entitled. Consequently, claims to those proceeds would be of a compensatory nature rather than based on pre-existing property ownership. Claims of prior legitimate owners and other victims of such corruption offences need therefore to be considered alongside those of States parties.

10. It is important to keep in mind that the rights of bona fide third persons are to be considered and may raise issues for requested States carrying out confiscation.

11. Article 57 refers exclusively to property confiscated by a State party pursuant to articles 31 and 55 of the Convention, through either criminal or non-conviction-based confiscation. At the same time, civil remedies constitute an alternative avenue for asset recovery, and the rules of article 57 may play a role in the strategic choice of requesting States parties to select the most practical and cost-efficient avenue for their asset recovery efforts.<sup>4</sup>

12. An additional factor to be considered may be the use of settlements and other procedures for concluding in particular foreign bribery cases short of a full trial in one State party, which may have implications for efforts of other States parties seeking to recover assets for the benefit of prior legitimate owners and those harmed. As a recent study by the StAR Initiative found, at present, the countries

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<sup>2</sup> *Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Corruption* (United Nations publication, Sales No. E.10.V.13 and corrigenda), paras. 66-68.

<sup>3</sup> United Nations Office on Drugs and Crime, *Legislative Guide for the Implementation of the United Nations Convention against Corruption* (United Nations publication, Sales No. E.06.IV.16), p. 265.

<sup>4</sup> StAR Initiative, *Public Wrongs, Private Actions: Civil Lawsuits to Recover Stolen Assets*, available at [http://star.worldbank.org/star/sites/star/files/9781464803703\\_0.pdf](http://star.worldbank.org/star/sites/star/files/9781464803703_0.pdf); see also the report on the meeting of the Working Group on Asset Recovery held in Vienna on 11 and 12 September 2014 (CAC/COSP/WG.2/2014/4).

whose officials were allegedly bribed have not been involved in such settlements and have not found any other means to obtain redress.<sup>5</sup>

## **B. Proceeds of embezzlement of public funds**

13. States are required to return confiscated property to a requesting State party, in cases of embezzlement of public funds or laundering of embezzled funds (arts. 17 and 23), when confiscation was properly executed (art. 55) and on the basis of a final judgement in the requesting State (this judgement may be waived by the requested State) (para. 3 (a)).

## **C. Proceeds of other corruption offences**

14. States are required to return confiscated property to a requesting State party, in cases of other corruption offences covered by the Convention, when confiscation was properly executed (see art. 55), on the basis of a final judgement in the requesting State and upon reasonable establishment of prior ownership by the requesting State (requirements which may be waived by the requested State) or when the requested State recognizes damage to the requesting State party as a basis for the returning of the confiscated property (para. 3 (b)).

15. An interpretative note indicates that subparagraphs (a) and (b) of paragraph 3 of article 57 apply only to the procedures for the return of assets and not to the procedures for confiscation, which are covered in other articles of the Convention. The requested State party should consider the waiver of the requirement for a final judgement in cases where a final judgement cannot be obtained because the offender cannot be prosecuted by reason of death, flight or absence or in other appropriate cases.<sup>6</sup>

## **D. All other cases**

16. In all other cases, States are required to give priority consideration to: (a) the return of confiscated property to the requesting State; (b) the return of such property to its prior legitimate owners; and (c) the compensation of victims (para. 3 (c)). A court may order compensation or damages directly to a foreign jurisdiction or to victims in a private civil action.

17. In the context of article 57, subparagraphs (b) and (c), it is important to keep in mind that according to article 53 of the Convention, States parties shall, in accordance with their domestic law: take such measures as may be necessary to permit its courts to order those who have committed offences established in accordance with the Convention, to pay compensation or damages to another State party that has been harmed by such offences (subpara. (b)); and take such measures as may be necessary to permit its courts or competent authorities, when having to

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<sup>5</sup> StAR Initiative, *Left out of the Bargain: Settlements in Foreign Bribery Cases and Implications for Asset Recovery*, available at <http://star.worldbank.org/star/sites/star/files/9781464800863.pdf>.

<sup>6</sup> *Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Corruption*, para. 69.

decide on confiscation, to recognize another State party's claim as a legitimate owner of property acquired through the commission of an offence established in accordance with this Convention (subpara. (c)).

### **E. Expenses related to return of assets and ad hoc agreements on final disposal of assets**

18. The requested State party may deduct reasonable expenses related to return of assets, unless States parties decide otherwise (para. 4). An interpretative note indicates that "reasonable expenses" are to be interpreted as costs and expenses incurred and not as finders' fees or other unspecified charges. Requested and requesting States parties are encouraged to consult on likely expenses.<sup>7</sup>

19. The *Legislative Guide for the Implementation of the United Nations Convention against Corruption* emphasizes that the obligation to return assets with deduction of reasonable expenses is distinct from arrangements for asset sharing, and it is therefore not possible to rely on provisions allowing for asset sharing to meet this obligation.

20. States parties may also consider the conclusion of agreements or arrangements for the final disposal of assets on a case-by-case basis (para. 5).

## **III. Taking stock of experiences in this area**

21. Over the past two decades, the international community has seen a number of cases of return. With this growing body of experience in returns, some valuable lessons can be drawn on different modalities for a return consistent with the Convention. At the same time, owing to the technical complexities and challenges, as well as the diversity of approaches adopted by States to tackle them, there is both strong demand for and an increasing body of good practices and lessons learned, providing fertile ground for the development of global knowledge and guidance on effective ways to manage and dispose of seized and confiscated assets domestically and on the administration, return and disposition of assets where more than one jurisdiction is involved. Experiences can be drawn from, inter alia, the digest of asset recovery cases,<sup>8</sup> and from the various knowledge products developed under the StAR Initiative, in particular, the studies "Management of returned assets: policy considerations",<sup>9</sup> and "Identification and quantification of the proceeds of bribery: a joint OECD-StAR Initiative analysis".<sup>10</sup> Further case examples can be drawn from the Asset Recovery Watch database, made available by the StAR Initiative.<sup>11</sup>

22. On the basis of the data publicly available, one of the key challenges in asset recovery cases seems to relate to the requirement "on the basis of a final judgment in the requesting State party" (art. 57, subparas. 3 (a) and (b)). In cases in which this

<sup>7</sup> *Travaux Préparatoires of the Negotiations for the Elaboration of the United Nations Convention against Corruption*, para. 70.

<sup>8</sup> Publication is forthcoming.

<sup>9</sup> Available at <https://star.worldbank.org/star/publication/management-returned-assets>.

<sup>10</sup> Available at <https://star.worldbank.org/star/sites/star/files/Quantification.pdf>.

<sup>11</sup> Available at <http://star.worldbank.org/corruption-cases/?db=All>.

requirement was missing, however, countries have often found innovative ways to address the absence of a final judgement in the requesting country not only by waiving the respective requirement (as foreseen in art. 57, para. 3) but also through obtaining a respective final judgement ordering the return of the assets in the requested jurisdiction under its domestic laws. This avenue was taken, for example, in the asset returns from Switzerland and Liechtenstein to Nigeria in the Abacha case.

23. The award of compensation of damages as a way of recovering assets (see art. 57, subparas. 3 (b) and (c)) requires the quantification of damages caused to the victims. The quantification of damages at the international level can be challenging, especially with regard to the damages caused by acts of foreign bribery. The above-mentioned study conducted by OECD and the StAR Initiative on the identification and quantification of the proceeds of active bribery in international business transactions concluded that the damage caused by bribery could be addressed by different legal avenues, such as confiscation, disgorgement, fines, compensation for damages or contractual restitutions. Various alternative and reasonable approaches were available to States parties in this regard, including based on the concepts of gross revenue, net proceeds or additional profits in variations used in different jurisdictions.<sup>10</sup>

24. With regard to the management of returned assets, unless the requesting country takes specific measures, they are channelled through public financial management systems. As alternatives to this general system, mainly three options have been documented, with a certain degree of variations and combinations:

(a) *Enhanced country systems.* Enhanced country systems build on the existing country system, but introduce adjustments to improve control systems. An example was the repatriation of \$505.5 million from Switzerland to Nigeria in 2005 and 2006. The funds were managed through the regular Nigerian budget procedure, but the participating States agreed that Nigeria would strengthen its public financial management capacity by collaborating with the World Bank to undertake a comprehensive public expenditure management and financial accountability review. The purpose of the arrangements was to ensure the use of the funds for incremental funding of activities related to the Millennium Development Goals. With a grant of the Swiss Government, the World Bank further supported Nigerian civil society organizations in participating in the review and analysis of the use of the returned funds;

(b) *Autonomous funds.* Autonomous funds are public entities with separate governance and management arrangements, which ensure clear lines of accountability for the delivery of specific outputs or services. One example of these funds is the Special Fund for the Administration of Illicitly Obtained Money (FEDADOI)<sup>12</sup> established by the Government of Peru after the return of \$33 million from the Cayman Islands, \$77.5 million from Switzerland and \$20 million by the United States of America. While the assets contained in the fund were managed through budget procedures, their use was determined by the governing board of FEDADOI composed of representatives of Peruvian government agencies involved in the fight against corruption. Another example is the Agrarian Reform Fund of the

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<sup>12</sup> Available at [www.pcm.gob.pe/InformacionGral/fedadoi/fedadoi.htm](http://www.pcm.gob.pe/InformacionGral/fedadoi/fedadoi.htm).

Philippines, which was set up in 2004 for the use of \$624 million returned from Switzerland to the Philippines;

(c) *Management by third parties.* Foundations or civil society organizations have on occasion played a role in the return and disposal of assets. In the case of \$116 million returned from the United States and Switzerland to Kazakhstan, an independent foundation, the BOTA Kazakh Child and Youth Development Foundation, was created. The board of trustees of BOTA is composed of five Kazakh citizens and one representative each from the Governments of the United States and Switzerland. The assets are transferred in tranches to the Foundation and deployed by it under the supervision of a consortium of two internationally recognized independent specialist organizations, with the advice of the World Bank.

25. Civil society has played a role in the asset recovery process through awareness-raising, research, advocacy and by assisting States in managing frozen assets or developing plans for the end use of returned assets. Further, civil society organizations have assisted States in identifying and investigating corruption-related offences, engaging with whistle-blowers, or by initiating legal action where the legal framework permits such initiatives. For example, Sherpa and Transparency International filed cases in 2007 and 2008, respectively, in French courts against several allegedly corrupt foreign leaders and their families, including a civil claim. As a result, a judicial investigation was launched and assets have been seized.<sup>13</sup>

#### **IV. Initiatives to identify good practices and developing tools and guidelines**

26. Following the entry into force of the Convention, a variety of initiatives have emerged at the international level to support countries in dealing with challenges (such as those described above) both domestically and within the context of international asset recovery cases.

##### **A. Confiscation and disposal of assets**

27. The issue of administration of seized assets has been addressed through, inter alia, the Group of Eight Best Practices for the Administration of Seized Assets (2005),<sup>14</sup> which are intended in particular to help States preserve the value of seized assets while confiscation proceedings (primarily domestic) are pending. In 2006, the Group of Eight endorsed the Principles and Options for Disposition and Transfer of Confiscated Proceeds of Grand Corruption with a view to providing greater transparency, predictability and effectiveness in the disposition and transfer of confiscated assets in grand corruption cases. The principles reaffirm the commitment to disposition and the return of assets, including in embezzlement

<sup>13</sup> Group of Eight, International Center for Asset Recovery: Arab Forum on Asset Recovery, “Guide to the role of civil society organizations in asset recovery”, available at [http://star.worldbank.org/star/sites/star/files/afar\\_guide\\_to\\_the\\_role\\_of\\_csos\\_in\\_asset\\_recovery\\_english.pdf](http://star.worldbank.org/star/sites/star/files/afar_guide_to_the_role_of_csos_in_asset_recovery_english.pdf).

<sup>14</sup> Available at [www.coe.int/t/dghl/monitoring/moneyval/web\\_ressources/G8\\_BPAssetManagement.pdf](http://www.coe.int/t/dghl/monitoring/moneyval/web_ressources/G8_BPAssetManagement.pdf).

cases, as articulated in article 57 of the Convention. The principles govern, subject to national law, how transfers could be accomplished consistent with the Convention, including, where appropriate, pursuant to voluntary agreements executed in accordance with paragraph 5 of article 57.

28. A study carried out by the Organization of American States<sup>15</sup> analyses the systems for the management of seized and confiscated assets in the region and highlights the existence of two main models: (a) entities with extended functions, ranging from the search of potential assets to their identification, seizure, forfeiture, management, coordination, destination, etc.; and (b) entities tasked with the mere management of assets.

29. The issue of confiscated assets is also addressed by, inter alia, the Financial Action Task Force “Best practices on confiscation (recommendations 4 and 38) and a framework for ongoing work on asset recovery”<sup>16</sup> of 2012, which sets out international good practices to assist countries in their implementation of recommendations 4 and 38, and to address impediments to effective confiscation and asset recovery in the international context.

## **B. Management, use and disposal of seized and confiscated assets**

30. At its fifth session, the Conference of the States Parties adopted resolution 5/3, entitled “Facilitating international cooperation in asset recovery” in which, inter alia, the Conference “encourages States parties and the United Nations Office on Drugs and Crime to share experience on the management, use and disposal of frozen, seized and confiscated assets, and to identify best practices as necessary, building upon existing resources that address the administration of seized assets, and to consider developing non-binding guidelines on this issue”.

31. In carrying out this mandate, UNODC started in early 2014 to work with the region of Calabria, Italy, in the field of management, use and disposal of seized and confiscated assets. The initiative seeks to identify good practices with a view to developing relevant tools and guidelines on the issue of administration of seized and confiscated assets, both at the domestic level and within the context of international asset recovery cases.

32. A first expert group meeting held in April 2014 produced a set of findings and recommendations on how to advance the work and thinking of the international community in the areas of (a) international cooperation in identifying, seizing and confiscating criminal assets, particularly those of Mafia-based criminal organizations; (b) domestic management, use and disposal of seized and confiscated assets; and (c) management of returned assets in asset recovery cases. The outcomes

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<sup>15</sup> Organization of American States, *Asset Management Systems in Latin America and Best Practices Document on Management of Seized and Forfeited Assets* (2011), available at [www.cicad.oas.org/lavado\\_activos/grupoExpertos/Decomiso%20y%20ED/Manual%20Bienes%20Decomisados%20-%20BIDAL.pdf](http://www.cicad.oas.org/lavado_activos/grupoExpertos/Decomiso%20y%20ED/Manual%20Bienes%20Decomisados%20-%20BIDAL.pdf).

<sup>16</sup> Available at [www.fatf-gafi.org/media/fatf/documents/reports/Best%20Practices%20on%20%20Confiscation%20and%20a%20Framework%20for%20Ongoing%20Work%20on%20Asset%20Recovery.pdf](http://www.fatf-gafi.org/media/fatf/documents/reports/Best%20Practices%20on%20%20Confiscation%20and%20a%20Framework%20for%20Ongoing%20Work%20on%20Asset%20Recovery.pdf).



of the April 2014 meeting<sup>17</sup> reaffirmed that the management of assets recovered and returned in line with the requirements of chapter V of the Convention constituted a crucial topic for a large number of countries.

33. Based on some of the challenges identified above, UNODC, in cooperation with the StAR Initiative and in consultation with the International Centre for Asset Recovery (ICAR), is currently planning two expert group meetings to add value to the current discussion and further advance the work and thinking of the international community in the areas of (a) the domestic management and disposal of seized and confiscated assets, and (b) the management, return and disposal of assets recovered in the context of international corruption cases.

34. More specifically, UNODC is organizing an expert group meeting to be held in Vienna on 7 and 8 September 2015, involving experts from approximately 20-30 countries to discuss issues such as the recognition of non-conviction-based seizure and confiscation orders, as well as asset management orders issued by foreign courts; measures to maintain the value of seized and confiscated assets; institutional frameworks and specialized agencies dedicated to the management of seized and confiscated assets; the concept of social re-use — successes and challenges; the creation of operational databases to support the management and disposal of seized assets; innovative approaches to the disposal and/or use of seized assets; the creation of multi-stakeholder partnerships around the management and disposal of seized and confiscated assets; and training needs and training programmes for various stakeholders involved in the management of seized and confiscated assets. As an outcome, a compilation of national experiences and good practices in this field will be developed to help those directly tasked with developing policy frameworks as well as the management of such assets in learning from these experiences and avoiding and/or managing some of the risks and liabilities involved.

### **C. Management of returned assets**

35. ICAR and the Swiss Federal Department of Foreign Affairs organized in October 2013 an international workshop on returning stolen assets, held in Küssnacht, Switzerland, with participants from 13 requesting and requested States. Using past experiences as a basis for discussion, the workshop concluded with a number of principles that should ideally be considered by concerned States in future asset returns, including, notably, that returned assets should be disposed of in a transparent and accountable way, involving, whenever possible, representatives of all concerned stakeholder groups in the determination of end use; returned assets should benefit the victims of the original crime; five different models can be distinguished when looking at past experiences; and due consideration should be given to the sustainability and long-term impact of programmes financed through returned assets.

36. As concerns the return and disposal of assets in international cases and taking note of the above-mentioned previous work by other international bodies, UNODC in partnership with ICAR is presently also planning to hold a meeting in early 2016

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<sup>17</sup> CAC/COSP/WG.2/2014/CRP.1, available at [www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2014-September-11-12/V1405186e.pdf](http://www.unodc.org/documents/treaties/UNCAC/WorkingGroups/workinggroup2/2014-September-11-12/V1405186e.pdf).

to explore the demand for and feasibility of developing basic principles for the management and disposal of recovered and returned assets in line with article 57 of the Convention for the consideration of the Conference of the States Parties to the United Nations Convention against Corruption. The expert group meeting will allow for constructive discussions on the desirability and feasibility of the development of such principles, addressing aspects of concern of both requesting and requested countries, including costs and interests with respect to the management of assets frozen or confiscated upon request by a foreign counterpart; methodologies, good practices, main actors and institutional solutions with respect to the management of returned assets by the requesting State party; integrity, accountability and transparency in the management of returned assets; victim identification and compensation; legal liability of and civil, criminal or administrative action against gatekeepers, banks and others that have been involved in the laundering of the assets; settlements and asset recovery; and the negotiation process, possible content and execution with respect to case-specific agreements or mutually acceptable arrangements for the final disposal of confiscated property. It is expected that a concluding document will serve as a basis for wider consultation with a greater number of States parties and practitioners with a view to informing possible further discussions, if States parties consider these beneficial, within the context of the Conference of the States Parties and its relevant subsidiary bodies.

## **V. Proposed points for discussion**

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

(a) Challenges encountered by States parties in the collection and analysis of macro-data on seized and confiscated assets and approaches that States parties have taken in this regard such as the creation of national databases for the collection, tracking and analysis of data relating to asset recovery;

(b) Good practices in the management and preservation of restrained assets; approaches and experiences of States parties in maintaining the value of complex assets during seizure and confiscation, such as corporate assets, real estate, vehicles, etc.;

(c) Experience in the quantification of damages and compensation of proceeds of corruption offences other than embezzlement of public funds and the laundering of embezzled public funds;

(d) Methods to overcome the requirement of a final judgement in the requesting country, if necessary;

(e) States parties' experiences with consultation processes between requesting and requested States: lessons learned on how to enter into a constructive relationship in the course of asset recovery cases;

(f) Experiences of States parties in accomplishing returns and disposals consistent with the Convention, including pursuant to voluntary agreements executed in accordance with paragraph 5 of article 57 (including examples of agreements/arrangements on a case-by-case basis for the final disposal of confiscated property);

(g) The practice followed for the deduction of reasonable expenses incurred in investigations, prosecutions or judicial proceedings and ways to reduce the overall cost of asset recovery;

(h) Approaches and experiences of States parties in the management of returned assets and the monitoring thereof;

(i) Challenges encountered by States parties in the identification of victims to whom assets should be returned or who should be compensated;

(j) Challenges encountered by States parties in managing public expectations in the requesting States.

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