Open-ended Intergovernmental Working Group on Asset Recovery
Vienna, 24 and 25 August 2017

Annotated provisional agenda

Provisional agenda

1. Organizational matters:
   (a) Opening of the meeting;
   (b) Adoption of the agenda and organization of work.
2. Overview of progress made in the implementation of asset recovery mandates.
3. Forum for advancing practical aspects of asset recovery, including challenges and good practices.
4. Thematic discussions:
   (a) Proactive and timely sharing of information, in accordance with article 56 of the Convention;
   (b) Good practices for identifying victims of corruption and the parameters for compensating them, including as part of the disposal of recovered assets.
5. Forum for discussions on capacity-building and technical assistance.
6. Adoption of the report.

Annotations

1. Organizational matters
   (a) Opening of the meeting
   The meeting of the Working Group on Asset Recovery will be opened on Thursday, 24 August 2017, at 10 a.m.
   (b) Adoption of the agenda and organization of work
   The provisional agenda for the meeting was prepared in accordance with resolution 6/2, entitled “Facilitating international cooperation in asset recovery and the return of proceeds of crime”, and resolution 6/3, entitled “Fostering effective asset recovery”, adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its sixth session, held in St. Petersburg, Russian Federation,
from 2 to 6 November 2015, to enable the Working Group to consider the agenda items within the time and according to the conference services available.

The resources available will permit the holding of two plenary meetings each day with interpretation in the six official languages of the United Nations.

2. **Overview of progress made in the implementation of asset recovery mandates**

The mandate of the Working Group, as set out in Conference resolution 1/4, consists of the following functions:

(a) Assisting the Conference in developing cumulative knowledge in the area of asset recovery;

(b) Assisting the Conference in encouraging cooperation among relevant existing bilateral and multilateral initiatives, and contributing to the implementation of the related provisions of the Convention;

(c) Facilitating the exchange of information by identifying good practices and disseminating them among States;

(d) Building confidence and encouraging cooperation between requesting and requested States by bringing together relevant competent authorities and anti-corruption bodies and practitioners involved in asset recovery and the fight against corruption and by serving as a forum for them;

(e) Facilitating the exchange of ideas among States on the expeditious return of assets;

(f) Assisting the Conference in identifying the capacity-building needs, including long-term needs, of States parties in the prevention and detection of transfers of proceeds of corruption and income or benefits derived from such proceeds and in asset recovery.

In its resolutions 6/2 and 6/3, the Conference requested the Secretariat, within existing resources, to assist the Working Group in the performance of its functions, including by providing interpretation services in the six official languages of the United Nations.

**Documentation**

Note by the Secretariat on progress made in the implementation of asset recovery mandates (CAC/COSP/WG.2/2017/3)

3. **Forum for advancing practical aspects of asset recovery, including challenges and good practices**

At its previous meetings, the Working Group noted the importance of providing a forum for discussing the practical aspects of asset recovery, including challenges and good practices. In addition, it expressed its appreciation for presentations on new legislation on asset recovery adopted by States parties in compliance with the Convention and recommended that the Secretariat strive, at future meetings, to foster such pragmatic approaches.

States parties may wish to come prepared to discuss their good practices and are encouraged to share them with the Secretariat in advance, together with relevant documentation, for dissemination on the relevant page of the United Nations Office on Drugs and Crime (UNODC) website.

4. **Thematic discussions**

(a) **Proactive and timely sharing of information, in accordance with article 56 of the Convention**

In its resolution 6/2, the Conference directed the Working Group to initiate the process of identifying best practices and developing guidelines for proactive and
timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention.

Countries may wish to bring to the discussion examples of asset recovery cases successfully initiated as a result of proactive and timely sharing of information. The discussion may touch upon the institutions from which such information originated, the inclusion of such information into subsequent mutual legal assistance requests, and confidentiality requirements.

The thematic discussion will commence with a panel discussion.

Documentation

Document prepared by the Secretariat on proactive and timely sharing of information in accordance with article 56 of the Convention (CAC/COSP/WG.2/2017/2)

(b) Good practices for identifying victims of corruption and the parameters for compensating them, including as part of the disposal of recovered assets

In its resolution 6/2, the Conference directed the Working Group to initiate the process of identifying best practices for identifying victims of corruption and the parameters for compensation.

At its tenth intersessional meeting, the Working Group requested the Secretariat to continue its efforts, subject to the availability of resources, to gather information on good practices in relation to the identification and compensation of victims in accordance with Conference resolution 6/2, including through soliciting information from States parties and organizing an expert panel at the eleventh meeting of the Working Group.

The thematic discussion may include the following topics: (a) processes used for identifying victims of corruption, including as part of the disposal of recovered assets; (b) parameters of compensation and their significance for asset recovery; (c) challenges and good practices in compensating victims; (d) the role of victim compensation in agreements or mutually acceptable arrangements, on a case-by-case basis, for the final disposal of confiscated property; and (e) the role of victim compensation in settlements.

Documentation

Note prepared by the Secretariat on good practices in identifying the victims of corruption and parameters for their compensation (CAC/COSP/WG.2/2016/CRP.1)

5. Forum for discussions on capacity-building and technical assistance

In its resolution 6/2, the Conference recalled its resolution 1/4, setting up the Open-ended Intergovernmental Working Group on Asset Recovery, and its resolution 2/3, in which it reaffirmed the mandate of the Working Group. It also took note of the contributions of the Stolen Asset Recovery (StAR) Initiative of the World Bank, UNODC, the International Centre for Asset Recovery and similar initiatives committed to improving the capacity of States to effectively implement the Convention and, in particular, the recommendations made as part of those initiatives to improve the process of asset recovery.

In its resolution 6/3, the Conference encouraged States parties to designate providers of technical assistance and officials or governmental institutions, as appropriate, as technical experts in international cooperation and asset recovery, to assist their counterparts in effectively meeting requirements for mutual legal assistance without undue delay.

In the same resolution, the Conference encouraged States parties and UNODC to continue sharing experiences and building knowledge on the management, use and disposal of frozen, seized, confiscated and recovered assets, and to identify good
practices as necessary, building upon existing resources that address the administration of seized and confiscated assets, including with a view to contributing to sustainable development.

At its tenth meeting, the Working Group called upon States to support the efforts by UNODC and the StAR Initiative in the asset recovery field. The Working Group also called upon States to support efforts relating to the organization of the Global Asset Recovery Forum in 2017. The Working Group noted the initiative of the Governments of Ethiopia and Switzerland, with the support of the Secretariat, to organize an international expert meeting on the management and disposal of recovered and returned stolen assets, including with a view to contributing to sustainable development, and requested the Secretariat to update the Working Group on the outcomes of that meeting.

States parties may wish to come prepared to discuss their efforts relevant to capacity-building and technical assistance in the area of asset recovery, as well as to discuss their cooperation in that regard with the StAR Initiative, UNODC and other providers of technical assistance.

Documentation

Note by the Secretariat on progress made in the implementation of asset recovery mandates (CAC/COSP/WG.2/2017/3)

Study prepared by the Secretariat on effective management and disposal of seized and confiscated assets (CAC/COSP/WG.2/2017/CRP.1)

6. Adoption of the report

The Working Group is to adopt a report on its meeting, the draft of which will be prepared by the Secretariat.
# Annex

## Proposed organization of work

<table>
<thead>
<tr>
<th>Date and time</th>
<th>Agenda item</th>
<th>Title or description</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Thursday, 24 August</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 a.m.-1 p.m.</td>
<td>1 (a)</td>
<td>Opening of the meeting</td>
</tr>
<tr>
<td></td>
<td>1 (b)</td>
<td>Adoption of the agenda and organization of work</td>
</tr>
<tr>
<td></td>
<td>2</td>
<td>Overview of progress made in the implementation of asset recovery mandates</td>
</tr>
<tr>
<td></td>
<td>3</td>
<td>Forum for advancing practical aspects of asset recovery, including challenges and good practices</td>
</tr>
<tr>
<td>3-6 p.m.</td>
<td>4 (a)</td>
<td>Thematic discussion on proactive and timely sharing of information, in accordance with article 56 of the Convention</td>
</tr>
<tr>
<td><strong>Friday, 25 August</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>10 a.m.-1 p.m.</td>
<td>4 (b)</td>
<td>Thematic discussion on good practices for identifying victims of corruption and the parameters for compensating them, including as part of the disposal of recovered assets</td>
</tr>
<tr>
<td>3-6 p.m.</td>
<td>5</td>
<td>Forum for discussions on capacity-building and technical assistance</td>
</tr>
<tr>
<td></td>
<td>6</td>
<td>Adoption of the report</td>
</tr>
</tbody>
</table>