



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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Overview of progress made in the implementation of asset recovery mandates

Progress made in the implementation of the activities of the Open-ended Intergovernmental Working Group on Asset Recovery

Note by the Secretariat

I. Introduction

1. In its resolution 1/4, adopted at its first session, the Conference of the States Parties to the United Nations Convention against Corruption established the Open-ended Intergovernmental Working Group on Asset Recovery to advise and assist the Conference in the implementation of its mandate on the return of proceeds of corruption.
2. In the same resolution, the Conference tasked the Working Group with, inter alia, assisting the Conference in developing cumulative knowledge in the area of asset recovery, facilitating the exchange of information, good practices and ideas among States, and building confidence and encouraging cooperation between requesting and requested States.
3. At its second to seventh sessions, the Conference decided that the Working Group should continue its work. The Working Group held its first to thirteenth meetings annually in Vienna from 2007 to 2019.
4. The present note has been prepared to inform the Working Group, at its fourteenth meeting, on the status of implementation of its recommendations and those of the Conference relating to asset recovery. It is aimed at assisting the Working Group in its deliberations and in determining its future activities.

* CAC/COSP/WG.2/2020/1.



II. Overview of the status of implementation of the recommendations of the Conference of the States Parties and the Working Group

5. Previous meetings of the Working Group have focused on three main themes: (a) developing cumulative knowledge; (b) building confidence and trust between requesting and requested States; and (c) technical assistance, training and capacity-building.

6. With respect to the development of cumulative knowledge on asset recovery, the Working Group has expressed its continued interest in the development of knowledge products and related tools that would facilitate legislative reforms in the area of asset recovery.

7. The importance of confidence and trust between requesting and requested States for asset recovery has been stressed, in particular as a means of increasing political will, developing a culture of mutual legal assistance and paving the way for successful international cooperation.

8. The Working Group has discussed types of technical assistance relevant to asset recovery, such as capacity-building and training, gap analyses, assistance in drafting new legislation and the facilitation of the mutual legal assistance process, and has recognized the urgent and constant need to provide training.

9. The Working Group has repeatedly emphasized its role in contributing knowledge and expertise for the outcomes of the reviews relating to the asset recovery chapter in the second cycle of the Mechanism for the Review of Implementation of the United Nations Convention against Corruption.

10. The Working Group has repeatedly noted the need to strengthen coordination between various initiatives in asset recovery. In that regard, the work of the Stolen Asset Recovery (StAR) Initiative of the United Nations Office on Drugs and Crime (UNODC) and the World Bank with developing countries and financial centres has been noted.

A. Developing cumulative knowledge

1. Tools for gathering and sharing information

11. The Working Group has consistently given high priority to the availability, creation and management of knowledge on asset recovery. The Group highlighted that tools and knowledge products needed to be widely disseminated and that follow-up on their effectiveness and usefulness should be considered by the Conference or the Working Group.

12. The Working Group has particularly commended the progress made by the secretariat on the United Nations Convention against Corruption legal library and the comprehensive Tools and Resources for Anti-Corruption Knowledge (TRACK) portal developed by UNODC (<http://track.unodc.org>).

13. The Working Group has stressed the usefulness of the existing knowledge products, including those of the StAR Initiative, in building national capacity, and has requested the secretariat to prepare a list of those products and to ensure their widest possible dissemination.

14. In its resolution 8/9, the Conference requested the Secretariat, and invited the StAR Initiative, subject to the availability of extrabudgetary resources, to continue to provide States parties with information and knowledge products relevant to the implementation of chapter V of the Convention; in consultation with States parties, and taking into account, inter alia, the information gathered during the first and second review cycles of the Implementation Review Mechanism, and by panels and studies, to continue to collect information on the legal frameworks, legal procedures

and judicial actions taken by States to recover proceeds of crime derived from offences established in accordance with the Convention; and to collect information from States parties on the most common challenges in the judicial process with regard to asset recovery and provide an analytical report to guide technical assistance.

Action taken

15. The legal library, part of the web-based TRACK platform launched by UNODC on 1 September 2011, contains laws, jurisprudence and information on anti-corruption authorities from over 180 jurisdictions worldwide. Developed and administered by UNODC and supported by the StAR Initiative and partner organizations, the legal library collects and disseminates indexed and searchable legal information according to each provision of the Convention. Legal data received in the context of the Implementation Review Mechanism and validated by States parties under review are used to update the information contained in the library. UNODC has continued the process of redesigning and reconceptualizing the legal library in terms of its content and search functions and is currently in the process of moving it to a new platform in preparation for its relaunch.

16. UNODC has continued to use the redeveloped version of the Mutual Legal Assistance Request Writer Tool in training activities and workshops and has also continued to raise awareness of the usefulness and added value of the tool. In the light of the coronavirus disease (COVID-19) pandemic, UNODC is working to integrate presentations on the tool into online courses and webinars in order to facilitate the dissemination of information about its use and to train a larger number of practitioners and experts in a virtual environment. In its redeveloped form, the tool integrates features on asset recovery and additional forms and means of international cooperation in criminal matters, including the transfer of criminal proceedings, videoconferencing and, to the extent applicable, joint investigations and international cooperation to conduct controlled deliveries. The tool is available as an open resource on the UNODC website (www.unodc.org/mla/en/index.html).

17. The StAR Initiative's Asset Recovery Watch database, launched in 2011, remains the only systematic attempt to track efforts by prosecution authorities worldwide to pursue assets that stem from corruption. The database contains 245 entries that detail cases involving over 50 requesting and over 40 requested jurisdictions. It contains documentation on approximately \$8.2 billion in stolen funds that have been frozen, adjudicated or returned to affected countries since 1980. The Initiative has also been assisting national authorities in creating country-specific beneficial ownership guides to help foreign investigators or other interested parties looking for information on the identity of beneficial owners of an entity incorporated under the laws of a given country. A total of 24 country-specific beneficial ownership guides are available on the StAR website.

18. In December 2019, the StAR Initiative published *Going for Broke: Insolvency Tools to Support Cross-Border Asset Recovery in Corruption Cases*, a publication which sets out, for the first time, a step-by-step guide for asset recovery practitioners on the use of insolvency proceedings to recover corruption proceeds. Prepared in collaboration with the International Bar Association, the publication outlines the procedures and challenges associated with insolvency actions and provides practical methods for various strategic and technical concerns. It makes particular use of case studies to demonstrate the benefits of cross-border insolvency proceedings in international corruption cases and to further elaborate on the challenges that practitioners face in this pursuit. The publication was presented and featured in a number of forums, including at the United Nations Commission on International Trade Law Colloquium on Civil Asset Tracing and Recovery, held in December 2019.

19. All tools and knowledge products developed by UNODC and the StAR Initiative have been made available on the Internet free of charge. Efforts are made to actively disseminate knowledge products in various forums, expert group meetings, training workshops and regional conferences, including on the margins of the Conference of

the States Parties in December 2019, during which the StAR Initiative organized a full-day side event that included several sessions on various topics related to asset recovery.

20. In April 2018, the StAR Initiative launched a quarterly newsletter to provide subscribers with information on its activities and its latest knowledge products, as well as to highlight thematic areas of interest and upcoming events (<https://star.worldbank.org/content/star-quarterly>).

21. In cooperation with the International Bar Association, the StAR Initiative is working on a new publication dedicated to the enforcement of foreign confiscation orders and on a questionnaire relating to the role and standing of victims of corruption in criminal proceedings.

22. An update to the *Asset Recovery Handbook: A Guide for Practitioners*, which was originally released in 2011, is currently being finalized. The StAR Initiative also plans to begin updating its 2009 publication *Stolen Asset Recovery: A Good Practices Guide for Non-Conviction-Based Asset Forfeiture*.

2. Gathering information on States' practical experience in the management, use and disposal of frozen, seized and confiscated assets and on best practices in addressing the administration of seized and confiscated assets

23. In its resolution 7/1, the Conference encouraged States parties and UNODC to continue sharing experiences on the management of frozen, seized and confiscated assets, identifying best practices as necessary and building on existing resources, and to consider developing non-binding guidelines on this issue.

24. In its resolution 8/1, the Conference decided that the Working Group should continue to collect information on best practices from States parties, with a view to completing the draft non-binding guidelines on the management of frozen, seized and confiscated assets and updating the study entitled *Effective Management and Disposal of Seized and Confiscated Assets*.

Action taken

25. The secretariat, in a note verbale circulated in July 2018, invited States parties to provide their views on the non-binding guidelines and made available to the Implementation Review Group a revised version of the non-binding guidelines contained in conference room paper CAC/COSP/IRG/2018/CRP.14, which reflected, to the extent possible, the comments received from States parties.

26. On the basis of recommendations made by the Implementation Review Group, the secretariat further revised the non-binding guidelines and circulated another note verbale in January 2019 requesting States parties to submit comments on the new version of the guidelines.

27. A revised draft of the non-binding guidelines on the management of frozen, seized and confiscated assets was brought to the attention of the Working Group at its thirteenth meeting (see [CAC/COSP/WG.2/2019/3](https://www.unodc.org/documents/cac/cosp/wg2/2019/3)).

28. Further comments from States parties were incorporated into an updated version of the non-binding guidelines that was made available to the Conference in the annex to document [CAC/COSP/2019/16](https://www.unodc.org/documents/cac/cosp/2019/16).

29. Pursuant to Conference resolution 8/1, the secretariat initiated the update of the study entitled *Effective Management and Disposal of Seized and Confiscated Assets* by, among other things, including relevant experiences and good practices from a wider range of jurisdictions. As a next step, once the update is concluded, the new findings emanating from it will be reflected in the draft non-binding guidelines on the management of frozen, seized and confiscated assets. The revised version of the study as well as the revised non-binding guidelines will be presented to the Working Group.

3. Gathering of information on good practices on the management and disposal of recovered and returned stolen assets in support of sustainable development

30. In its resolution 7/1, the Conference encouraged States parties to make full use of the possibility of concluding agreements or mutually acceptable arrangements for the return and final disposal of confiscated property pursuant to article 57, paragraph 5, of the Convention and to consider the Sustainable Development Goals in the use and management of recovered assets, while fully respecting the principles of sovereign equality and the territorial integrity of States and of non-intervention in the domestic affairs of other States, in line with article 4 of the Convention. In addition, it called upon States parties to continue the exchange of best practices and precise information on successful cases of cooperation between different States parties relating to the implementation of asset recovery-related provisions of the Convention. The Conference also requested the Secretariat, in consultation with States parties and taking into account, among other things, the information being gathered through the Implementation Review Mechanism and by panels and studies, to continue to collect information on the legal framework, legal procedures and judicial actions taken by States parties to recover proceeds of crime derived from corruption under the Convention, and encouraged States parties to make widely available information in this regard, in order to share good practices.

31. In its resolution 8/9, the Conference encouraged States parties to, in accordance with their domestic laws and in line with domestic priorities, consider the 2030 Agenda for Sustainable Development in the use of returned assets.

Action taken

32. With a view to advancing the work on strengthening the recovery and return of stolen assets as included in target 16.4 of the 2030 Agenda for Sustainable Development, UNODC, supported jointly by Ethiopia and Switzerland, started a process to identify good practices in the management and disposal of recovered and returned stolen assets in support of sustainable development. The first expert group meeting under that initiative was held in Addis Ababa in February 2017 and for the first time brought together practitioners working on asset recovery and return and practitioners in financing for development.

33. In a note verbale sent in December 2018, and in another note verbale sent as a reminder in February 2019, the Secretariat invited States parties to provide available information on the following: (a) successful cases of cooperation between States parties, in particular information involving the return or disposal of confiscated proceeds of corruption; (b) the legal framework, legal procedures and judicial actions used to successfully recover, return or dispose of the proceeds of crime; and (c) the modality used for the return.

34. The analysis of the information gathered was discussed at a second expert meeting on the return of stolen assets held in Addis Ababa from 7 to 9 May 2019. The meeting was organized by UNODC and supported by the Governments of Ethiopia and Switzerland. Drawing on lessons learned from the analysis provided and from other cases, and with contributions from the StAR Initiative, the experts highlighted good practices in asset return, such as early and open communication between the requesting and requested States, building trust among the partners and understanding the differences in legal systems and domestic requirements with regard to asset recovery and return. The experts also underscored the need to provide technical assistance and training to enable countries to fully use all available options for asset recovery and return.

35. A report on the meeting was made available to the Conference in the form of a conference room paper (CAC/COSP/2019/CRP.3).

36. On the margins of the meeting of the Group of 20 (G20) held in Paris in October 2019, UNODC organized, with support from the United States of America, a side event on best practices for promoting transparency and accountability in asset return.

The event built on the progress made during the Global Forum on Asset Recovery and the first and second expert meetings held in Addis Ababa.

4. Gathering of information on international asset recovery cases, including on volumes of assets frozen, seized, confiscated and returned

37. In its resolution 8/9, the Conference requested the Secretariat, and invited the StAR Initiative, subject to the availability of extrabudgetary resources, to collect information from States parties on international asset recovery cases in relation to offences established in accordance with the Convention, including on volumes of assets frozen, seized, confiscated and returned, to report on the findings to the Working Group and the Conference at their next sessions and to update the Asset Recovery Watch database.

Action taken

38. In accordance with resolution 8/9, the StAR Initiative started collecting information, through a questionnaire sent to all States parties to the Convention, on international asset recovery cases in relation to offences established in accordance with the Convention, including on volumes of assets frozen, seized, confiscated and returned. The information will form the basis for a new study on global progress in international efforts to recover and return proceeds of corruption in a systematic and internationally comparable way. The results of the study, which covers the period from 2010 to 2019, will be used in a forthcoming report of the StAR Initiative and to update the Asset Recovery Watch database.

5. Gathering of information on experiences and best practices on measures and remedies to enhance international cooperation and asset recovery related to corruption, including when it involves vast quantities of assets

39. In its resolution 7/2, the Conference invited States parties to provide information on experiences and best practices on criminal and civil measures and remedies to enhance international cooperation and asset recovery related to corruption, including when it involves vast quantities of assets.

Action taken

40. In line with that mandate, as previously reported, in March and April 2018 the secretariat sent two requests to States parties to share relevant information. The secretariat published summaries of the contributions from States parties, together with the outcomes of the two expert group meetings on corruption involving vast quantities of assets, held in Lima in December 2018 and in Oslo in June 2019, in document [CAC/COSP/2019/13](#).

41. Furthermore, as a follow-up, the Secretariat is now in the process of gathering additional information on experiences and best practices with a focus on specific recommendations in the Oslo statement on corruption involving vast quantities of assets ([CAC/COSP/2019/13](#), annex II).

6. Gathering of information on approaches to transparency of beneficial ownership

42. The Working Group noted the initiative of the secretariat of organizing, with support from the Russian Federation, an expert group meeting on transparency of beneficial ownership and requested the secretariat to update the Group on the outcomes of that meeting.

43. The Working Group also highlighted the importance of studying and overcoming challenges associated with access to beneficial ownership information and requested the secretariat to continue updating the Group on future activities in that regard.

Action taken

44. UNODC and the StAR Initiative are working on a report as a follow-up to the international expert group meeting held with the support of the Russian Federation in November 2018, which focused on impediments that legal professional privilege or professional secrecy can pose for investigators seeking to gather information during their investigations, notably on beneficial ownership. The report is scheduled to be released in 2021.

45. UNODC is also working on an in-depth study, to be released in 2021, on the existing and emerging systems of beneficial ownership transparency in several countries across different regions.

7. Gathering of information on States' best practices for the identification and compensation of all different types of victims

46. In its resolution 8/9, the Conference called the attention of States parties to the work undertaken following resolution 6/2, in which the Working Group had been directed to initiate the process of identifying best practices for identifying victims of corruption and the parameters for compensation, and encouraged States parties to provide information on existing laws and practices on identification and compensation of victims of corruption.

47. At the thirteenth meeting of the Working Group, the Chair requested that the discussions on best practices for the identification and compensation of all different types of victims in accordance with the Convention and on third-party challenges and their impact on asset recovery under chapter V be continued and included in the agenda of the fourteenth meeting of the Working Group.

Action taken

48. A continuation of the discussion organized at the thirteenth meeting of the Working Group, in May 2019, on best practices for the identification and compensation of all different types of victims in accordance with the Convention and on third-party challenges and their impact on asset recovery under chapter V is planned during the fourteenth meeting of the Working Group.

49. In order to inform the deliberations of the Working Group, the Secretariat developed a document on best practices for the identification and compensation of all different types of victims in accordance with the Convention and third-party challenges and their impact on asset recovery under chapter V ([CAC/COSP/WG.2/2019/5](#)).

50. UNODC, together with the StAR Initiative, is also planning to develop a study focused on the compensation of victims of corruption, which will complement the document prepared by the Secretariat on this matter.

8. Ongoing work of the Working Group

51. In its resolution 8/1, the Conference decided that the Working Group should continue its work by, inter alia, continuing its efforts to collect information on challenges and barriers that States parties face, as well as best practices in recovery and return of proceeds of crime, with a view to proposing possible recommendations for the full and effective implementation of chapter V of the Convention.

52. In paragraph 12 of its resolution 8/9, the Conference requested the Secretariat, and invited the StAR Initiative, subject to the availability of extrabudgetary resources, to, inter alia:

(a) Study how the use of alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in accordance with the Convention, taking into account relevant existing information provided, could further promote the effective application of chapter V of the Convention;

(b) In consultation with States parties, and taking into account, inter alia, the information gathered during the first and second review cycles of the Implementation Review Mechanism, and by panels and studies, to continue to collect information on the legal frameworks, legal procedures and judicial actions taken by States to recover proceeds of crime derived from offences established in accordance with the Convention;

(c) Collect information from States parties on the most common challenges in the judicial process with regard to asset recovery, and provide an analytical report to guide technical assistance.

53. Furthermore, in paragraph 15 of the same resolution, the Conference directed the Working Group to:

(a) Continue to collect information, with the support of the Secretariat, regarding the use by States parties of alternative legal mechanisms and non-trial resolutions, including settlements that have proceeds of crime for confiscation and return, in accordance with the Convention and domestic law, and analyse the factors that influence the differences between the amounts realized in alternative legal mechanisms and non-trial resolutions, including settlements that have proceeds of crime for confiscation and return, in accordance with the Convention and domestic law and the amounts returned to affected States, with a view to considering the feasibility of developing guidelines to facilitate a more coordinated and transparent approach for cooperation among affected States parties;

(b) Collect information on challenges, good practices and lessons learned, and procedures allowing the confiscation of proceeds of corruption without a criminal conviction from States parties that have implemented such measures in accordance with article 54, paragraph 1 (c), of the Convention;

(c) Report its findings on each of these matters to the Conference at its next session, with the support of the Secretariat.

54. In the same resolution, the Conference directed the Working Group, with the assistance of the Secretariat, to sustain the process of identifying best practices and developing guidelines for proactive and timely sharing of information, in accordance with article 56 of the Convention.

55. The Conference also requested the Working Group to develop a new multi-year workplan to continue its analytical work during the period 2020–2021, designating specific agenda items to be discussed as the main topic for each session.

Action taken

56. In carrying out the mandates mentioned above, the Secretariat prepared a draft workplan to structure the work of the Working Group until 2021 (CAC/COSP/WG.2/2020/2) for the consideration of the Group at its fourteenth meeting.

57. In line with those mandates, the thematic discussions planned for the fourteenth meeting will be dedicated to the most common challenges and barriers, as well as best practices, in the recovery and return of proceeds of crime, with a particular focus on the enforcement of criminal confiscation orders in foreign jurisdictions and differences in evidentiary requirements and standards of proof between legal systems.

58. In a note verbale sent in April 2020, the secretariat invited States parties to provide information in line with the new mandates, as part of the process of collecting information from States parties on international asset recovery cases in relation to offences established in accordance with the Convention, including on volumes of assets frozen, seized, confiscated and returned.

59. In addition, the secretariat is preparing to invite States parties to provide information in relation to alternative legal mechanisms and non-trial resolutions, including settlements, that have proceeds of crime for confiscation and return, in

accordance with the Convention, and in relation to procedures that allow the confiscation of proceeds of corruption without a criminal conviction from States parties that have implemented such measures in accordance with article 54, paragraph 1 (c), of the Convention, in two notes verbales to be sent in November 2020.

60. The secretariat is also preparing to invite States parties to comment on the draft non-binding guidelines on the timely sharing of information in accordance with article 56 of the Convention and improving communication and coordination between various asset recovery practitioner networks in a note verbale to be sent in November 2020.

61. The secretariat will continue its work in carrying out these mandates and will provide updates on its progress to the Working Group accordingly.

B. Building confidence and trust between requesting and requested States

1. Central authorities, asset recovery focal points and networks

62. The Working Group has requested the Secretariat to invite those Member States that have not yet done so to designate a central authority for mutual legal assistance. The Conference made a similar request to all States parties.

63. The Conference has requested the Working Group to continue to consider the issue of establishing a global network of asset recovery focal points as a network of practitioners, without duplicating existing networks, to facilitate more effective cooperation. The Group has underlined the need for a global network of focal points on asset confiscation and recovery with technical expertise and has emphasized the need for collaboration and coordination between regional networks.

64. In its resolution 7/1, the Conference urged States parties to ensure that the information provided regarding their central and competent authorities, in line with article 46, paragraph 13, of the Convention, is up to date, in order to enhance the dialogue on mutual legal assistance.

65. The Conference, in its resolution 8/1, encouraged States parties, in a common effort, to apply lessons learned in all areas of asset recovery cooperation by, inter alia, strengthening domestic institutions and enhancing international cooperation, including through participation in relevant international practitioner networks, such as the asset recovery focal points under the Convention, the Global Focal Point Initiative, supported by the International Criminal Police Organization (INTERPOL) and the StAR Initiative, and the Camden Asset Recovery Inter-Agency Network and other similar networks, as well as regional initiatives, as appropriate.

66. The Working Group has recommended that UNODC explore how the database of asset recovery focal points could be amended to make it possible to ascertain the contact details of persons in other jurisdictions.

67. The Working Group has urged States parties to continue to work towards identifying and addressing practical barriers to cooperation in asset recovery and finding solutions.

68. The Working Group commended the secretariat's efforts to merge the online directory of competent authorities with another directory in the Sharing Electronic Resources and Laws on Crime (SHERLOC) portal and requested that it continue those efforts.

Action taken

69. The online directory of designated competent national authorities, including central authorities for mutual legal assistance and asset recovery focal points, is available at www.unodc.org/compauth_uncac/en/index.html.

70. The secretariat continued to update the online directory of competent national authorities. As at 11 September 2020, the directory contained information on:

- (a) Central authorities for mutual legal assistance in 132 States parties;
- (b) Prevention authorities in 119 States parties;
- (c) Asset recovery focal points in 85 States parties;
- (d) Central authorities for extradition in 29 States parties;

(e) Focal points for international cooperation in the use of civil and administrative proceedings in 34 States parties.

71. The secretariat has migrated the data of the online directory of competent national authorities under the Convention to the directory of competent national authorities in SHERLOC. States parties can now enjoy the convenience of a single outlet of information regarding various types of competent national authorities.

72. The Global Focal Point Initiative was launched in January 2009 to support the investigation and prosecution of corruption and economic crime through international cooperation and informal assistance for the purpose of identifying, tracing, freezing and ultimately recovering the proceeds of corruption and economic crime. Focal points can exchange information and technical knowledge on corruption and asset recovery through a secure communication system for asset recovery (INTERPOL Secure Communications for Asset Recovery). As at September 2020, 243 registered users representing 136 countries were participating in the platform.

73. UNODC and the StAR Initiative continued their support for the strengthening of regional networks engaged in asset recovery and confiscation. At the time of reporting, there were eight regional networks: the Camden Asset Recovery Inter-Agency Network and, following the same model, the Asset Recovery Inter-Agency Network for Asia and the Pacific, for the Caribbean, for Eastern Africa, for Southern Africa, for West Africa and in West and Central Asia, and the Asset Recovery Network of the Financial Action Task Force of Latin America.

74. At the time of writing, the possibility of establishing a global network of anti-corruption law enforcement authorities, to facilitate informal cooperation among anti-corruption entities covered by article 36 of the Convention, was being explored.

2. Cooperation between financial intelligence units and anti-corruption agencies

75. The Working Group has recommended strengthening cooperation between financial intelligence units, anti-corruption authorities and central authorities responsible for mutual legal assistance at the national and international levels. Further cooperation with existing networks and institutions such as the Egmont Group of Financial Intelligence Units and the International Association of Anti-Corruption Authorities should be explored.

76. The Conference, in its resolution 8/9, encouraged States parties to consider making use of opportunities for cooperation through existing practitioner-based networks, such as the asset recovery focal points under the Convention, the Global Focal Point Initiative and the Camden Asset Recovery Inter-Agency Network, and information provided at the financial intelligence unit level, in the course of making requests for mutual legal assistance.

Action taken

77. UNODC works closely with and supports the activities of the International Association of Anti-Corruption Authorities and participates in its Executive Committee.

78. UNODC continues to be involved in activities of the Egmont Group. Both the StAR Initiative and the UNODC Global Programme against Money-Laundering, Proceeds of Crime and the Financing of Terrorism continued to work with financial

intelligence units to assist them in joining the Egmont Group and in implementing the Egmont standards for the exchange of information on countering money-laundering and the financing of terrorism. The Global Programme also continued to promote inter-agency cooperation, highlighting the importance of such cooperation to the success of regimes to combat money-laundering and counter the financing of terrorism.

79. In May 2019, the StAR Initiative participated in an African Union dialogue on preventing illicit financial flows. In September 2019 and June 2020, the Initiative also participated in events of the Organization of American States focused on money-laundering and organized crime.

80. In October 2019, the StAR Initiative also participated in a regional workshop on denying safe havens to corrupt officials and stolen assets organized by the National Anti-Corruption Commission of Thailand and UNODC as part of the fifteenth meeting of principals of the South-East Asia Parties against Corruption mechanism. The Initiative delivered a presentation on challenges and best practices in asset recovery to the heads of anti-corruption agencies from the Association of South-East Asian Nations (ASEAN) and to representatives of the National Supervision Commission of China, encouraging more cross-border cooperation among members of the mechanism and China.

81. In October 2019, the StAR Initiative participated in the tenth meeting of the Law Enforcement Network of the Organization for Economic Cooperation and Development (OECD) Anti-Corruption Network for Eastern Europe and Central Asia, held in Tashkent, followed by an expert workshop hosted by the Anti-Corruption Network for Eastern Europe and Central Asia in Paris.

3. Promoting dialogue and removing barriers to asset recovery

82. The Working Group has emphasized the need for the Secretariat to further strengthen its work with regard to promoting dialogue between requested and requesting States, building trust and confidence and nurturing and further strengthening political will in ensuring asset recovery, including in its work with other intergovernmental organizations and in the context of the G20.

83. In its resolution 8/1, the Conference urged States parties to consider, in accordance with the fundamental principles of their domestic law and in accordance with the Convention, the establishment or further development of inter-agency or intergovernmental cooperation in identifying, tracing, freezing, seizing, confiscating and returning proceeds of crime which will enable States parties to better detect, deter and prevent acts of corruption.

84. In the same resolution, the Conference encouraged States parties to remove barriers to applying measures for the recovery of assets, in particular by simplifying their legal procedures, where appropriate and in accordance with their domestic law, and by preventing the abuse of such procedures.

85. In its resolution 8/9, the Conference urged all States parties, in accordance with the Convention, to cooperate to recover the proceeds of crime, at home and abroad, and to demonstrate strong commitment to ensuring the return of confiscated assets, in accordance with article 57 of the Convention.

86. The Working Group has recommended exploring the feasibility of adopting a help-desk approach to asset recovery to give informal advice during the initial stages of a case and to refer requesters to counterparts who would be able to provide further assistance.

Action taken

87. UNODC, including through the StAR Initiative, continued to be actively engaged in advocacy in a number of international forums to strengthen political will, including the Anti-Corruption and Transparency Working Group of the Asia-Pacific

Economic Cooperation forum, INTERPOL, the European Union and the European Union Agency for Criminal Justice Cooperation (Eurojust), the Group of Seven, the G20 Anti-Corruption Working Group and the World Economic Forum, in particular its Partnering against Corruption Initiative.

88. UNODC continued to raise awareness regarding the full implementation of the Convention, emphasizing the importance of its provisions on asset recovery, as an observer at the meetings of the G20 Anti-Corruption Working Group. UNODC also supported the implementation of that Group's action plan for the period 2019–2021. At the Anti-Corruption Working Group's first meeting in 2020, held under the co-chairmanship of Saudi Arabia and Italy, UNODC briefed the Group on Conference resolutions 8/1 and 8/9, in particular on the need for more information on volumes of frozen, seized, confiscated and returned assets and on the corresponding data-collection exercise conducted by the StAR Initiative. UNODC also provided support to the Anti-Corruption Working Group on a number of work streams related to asset recovery and international cooperation. Together with OECD, the Financial Action Task Force (FATF) and the World Bank, UNODC also provided input for a scoping paper on international cooperation dealing with economic crime, offenders and the recovery of stolen assets prepared for the attention of the Anti-Corruption Working Group.

89. UNODC has provided comments on the work of the High-level Panel on International Financial Accountability, Transparency and Integrity for Achieving the 2030 Agenda, launched by the President of the General Assembly and the President of the Economic and Social Council in March 2020, including with regard to financial and beneficial ownership transparency, corruption, money-laundering and asset recovery and return, and briefed the Panel on the work of UNODC, in particular on the implementation gaps identified through the Implementation Review Mechanism.

90. UNODC and the StAR Initiative participated in various meetings related to money-laundering in order to promote coordination with regard to asset recovery. The StAR Initiative has continued to work with FATF, especially by participating in its plenary meetings and in relevant meetings and consultations with FATF-style regional bodies, including an FATF project team on recommendation 24.

91. Since the United Kingdom of Great Britain and Northern Ireland and the United States hosted the first Global Forum on Asset Recovery, in Washington, D.C., in 2017, with support from the StAR Initiative, the Initiative has been following up with the four focus countries, namely, Nigeria, Sri Lanka, Tunisia and Ukraine, to build further capacity and maintain the momentum generated at the Global Forum.

92. At the request of the Executive Secretary of the Group of States against Corruption, the StAR Initiative chaired a panel on the prevention of corruption and promotion of integrity of top executive functions at the Group's twentieth anniversary conference in June 2019.

93. In August 2019, the StAR Initiative contributed to a number of activities of the twenty-ninth plenary meeting of the Anti-Corruption and Transparency Working Group of the Asia-Pacific Economic Cooperation forum, hosted by the Office of the Prosecutor General of Chile. At a workshop of the forum on the topic "The evolving use of corporate compliance programmes by law enforcement: learning from international and domestic practices", the StAR Initiative gave a presentation on the principles of the Convention relating to corporate compliance (on behalf of UNODC) and moderated a session on the criminal investigation of bribery and corporate compliance. The Initiative also used the opportunity to present its publication *International Partnerships on Asset Recovery: Overview and Global Directory of Networks*, which includes a directory of asset recovery networks, and anti-corruption law enforcement initiatives in the Asia-Pacific region at a meeting of the Asia-Pacific Economic Cooperation Network on Anti-Corruption Authorities and Law Enforcement Agencies.

94. The StAR Initiative also presented at a beneficial ownership seminar in Slovakia in October 2019, organized under the Slovak chairmanship of the Organization for Security and Cooperation in Europe. The Initiative delivered a follow-up to its presentation at a regional workshop on promoting beneficial ownership transparency in South-East Asia held in Malaysia in July 2019. The content was focused particularly on global standards and resources on beneficial ownership, using the system of beneficial ownership disclosure in Ukraine as a case study.

95. On the margins of the Conference of the States Parties in December 2019, the StAR Initiative, in coordination with authorities from partner countries, organized 23 bilateral case-related meetings between representatives of 21 States parties. The goal was to establish contacts between authorities from requesting and requested countries, to help them better understand the requirements for assistance and to enable them to address specific pending requests.

96. The United Nations Global Compact Leaders Summit held in June 2020 marked the twentieth anniversary of the platform, which unites businesses for a more sustainable future. Held in a virtual, 26-hour “chasing the sun” format, the event included back-to-back sessions in different time zones that enabled over 20,000 registered participants to join in the conversations on how businesses can support countries around the world in dealing with three global crises: climate, health and inequality. The StAR Initiative presented an introduction to asset recovery and the importance of private sector entities, such as financial institutions, in preventing, detecting and prosecuting actors involved in corrupt practices. During the Summit, the Executive Director of UNODC highlighted the need for strategic cooperation between the United Nations and the private sector using the example of the Initiative’s work on asset recovery with the International Bar Association and the Partnering against Corruption Initiative.

C. Technical assistance, training and capacity-building

97. The Working Group on Asset Recovery has highlighted the high level of demand for technical assistance in the implementation of chapter V of the Convention, especially for legal advisory services, and the need for tailor-made approaches. It has emphasized the importance of providing technical assistance in the field of mutual legal assistance to officials and practitioners to enable them to draft requests and responses to requests.

98. The Working Group has also emphasized the importance of strengthening the capacity of legislators, law enforcement officials, judges and prosecutors on relevant matters and has stressed the need for specialized training and capacity-building activities and the importance of granting sufficient resources to UNODC and other relevant assistance providers. In addition to activities such as seminars and training courses, the Group has encouraged the Secretariat to organize training sessions using innovative technology, such as electronic learning programmes.

99. The Working Group has recommended that UNODC seek to forge more partnerships and coordinate additional technical assistance activities in matters related to asset recovery with other relevant organizations and bodies and has requested the Secretariat to promote ways and means for Member States to request technical assistance through the StAR Initiative at both the national and regional levels.

100. The Working Group has recommended that States parties consider adopting a curriculum approach to technical assistance programmes, with coordination at the regional level in order to ensure the most effective use of the limited resources available.

101. In its resolution 6/3, the Conference urged States parties to ensure that they had adequate legal and institutional frameworks in place to prosecute corruption, to detect the illegal acquisition and transfer of assets derived from corruption, to request and

provide international legal cooperation, including mutual legal assistance, to ensure that there were suitable mechanisms in place to recover through confiscation the identified proceeds of corruption, to enforce foreign conviction-based and non-conviction-based orders in accordance with the requirements of the Convention and to ensure that such frameworks were enforced, and encouraged technical assistance in that regard.

102. In its resolution 7/1, the Conference requested UNODC and invited the StAR Initiative to continue to provide and develop capacity-building initiatives on asset recovery, including knowledge products and technical tools, upon request and subject to extrabudgetary resources, in response to technical assistance needs identified during country reviews.

Action taken

103. UNODC has continued to regularly respond to technical assistance requests by States parties, in order to strengthen their capacity in implementing chapter V of the Convention and their full participation in the Implementation Review Mechanism, in particular since the official start of the second cycle of the Mechanism.

104. In 2019, UNODC, including through the StAR Initiative, provided technical assistance to 19 States parties, including 11 that were working on legislative reform. During that period, 2 States parties adopted new laws, 5 received support in improving domestic coordination processes and 12 received assistance in improving international coordination processes. In addition, over 670 professionals worldwide received asset recovery training.

D. Reporting and follow-up

105. The Working Group could provide further guidance on the development of guidelines, good practices and other tools to improve the implementation of chapter V of the Convention and the resolutions of the Conference of the States Parties.

106. The Working Group may also wish to provide guidance on the role that UNODC, including through the StAR Initiative, could play in facilitating international cooperation in asset recovery, by creating forums for building confidence between requesting and requested States, establishing bilateral contacts and secure channels for communication and building capacity in this area.

107. The Working Group may wish to encourage States to continue providing statistical information on asset recovery cases and information on barriers to asset recovery, in response to the requests of UNODC and the StAR Initiative, that can be used to update the Initiative's Asset Recovery Watch database.

108. The Working Group may wish to continue to encourage States to make use of their reviews under the second review cycle to enhance their implementation of chapter V of the Convention and continue to follow up on observations relevant to asset recovery emanating from the first review cycle, and to request technical assistance to address any challenges identified.

109. The Working Group may wish to provide further guidance on the role of UNODC in the delivery of technical assistance at the national and regional levels, including through the StAR Initiative, and to consider how best to address the needs that are identified, including in the reviews, in order to ensure that States parties in need of expertise and assistance can avail themselves of such expertise and assistance in a timely and effective manner.