



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

Distr.: Limited  
30 May 2019

Original: English

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## Working Group on Asset Recovery

### Thirteenth session

Vienna, 29–30 May 2019

## Draft report

### I. Introduction

1. In its resolutions 1/4, 2/3, 3/3, 4/4, 5/3, 6/2, 6/3 and 7/1, the Conference of the States Parties to the United Nations Convention against Corruption established and continued the work of the open-ended intergovernmental Working Group on Asset Recovery.

2. The Conference also welcomed the outcome of the meetings of the Open-ended Intergovernmental Working Group on Asset Recovery and invited the Working Group to propose future agenda items, and decided that the Working Group should continue its work by, *inter alia*:

(a) Continuing its efforts to gather information on and conduct enhanced analysis of best practices for the identification and compensation of all different types of victims in accordance with the Convention, including, as necessary, by soliciting information from States parties, facilitating exchanges among experts and organizing expert panels, while taking into consideration similar work undertaken at prior meetings of the Working Group, by expert panels and in discussions;

(b) Conducting analysis on third-party challenges and their impact on asset recovery under chapter V;

(c) Continuing to collect data on best practices, with a view to developing non-binding guidelines concerning the timely sharing of information to enable States parties to take appropriate action, in accordance with article 56 of the Convention;

(d) Conducting an analysis of how communication and coordination between various asset recovery practitioner networks could be improved, with a view to developing guidelines for the proactive and timely sharing of information, as mentioned in subparagraph (c) above.

### II. Organization of the meeting

#### A. Opening of the meeting

3. The Working Group on Asset Recovery held its thirteenth session in Vienna on 29 and 30 May 2019, which included two meetings held jointly with the Implementation Review Group on 29 May.



4. The thirteenth session of the Working Group was chaired by Maria Consuelo Porras Argueta (Guatemala), President-designate of the Conference of the States Parties to the United Nations Convention against Corruption at its seventh session.

5. The representative of the European Union made a statement on behalf of the European Union and its member States, in which he noted, inter alia, that the recovery of stolen assets was essential and that the identification, tracing, freezing, confiscation and recovery of assets were an effective way to tackle corruption and prevent its proceeds from being re-invested in the licit economy and used for further acts of corruption. Referring to chapter V of the Convention, he also noted that asset recovery could play an important role in increasing the domestic resources of developing countries. The representative outlined the European Union's efforts in areas such as the confiscation of assets, the mutual recognition of freezing and confiscation orders, the establishment of national Asset Recovery Offices, improving cooperation between law enforcement authorities and Financial Intelligence Units (FIUs) and between FIUs, expediting financial investigations on serious and organized crime and combating money-laundering. The representative highlighted the importance of a wide exchange of best practices and international cooperation in asset recovery and stressed the European Union's support for the 2030 Agenda for Sustainable Development, in particular its Goal 16. In addition, the representative noted that returned assets must be used and managed according to the principles of transparency and accountability and in a manner conducive to their contributing to sustainable development, if appropriate.

## **B. Adoption of the agenda and organization of work**

6. On 29 May 2019, the Working Group adopted the following 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) Best practices for the identification and compensation of all different types of victims in accordance with the Convention;
    - (b) Third-party challenges and their impact on asset recovery under chapter V.
  5. Forum for discussions on capacity-building and technical assistance.
  6. Adoption of the report.

## **C. Attendance**

7. The following States Parties to the Convention were represented at the meeting of the Working Group: Afghanistan, Albania, Algeria, Angola, Argentina, Armenia, Australia, Austria, Azerbaijan, Bahrain, Bangladesh, Belgium, Benin, Bhutan, Bolivia (Plurinational State of), Bosnia and Herzegovina, Brazil, Bulgaria, Burkina Faso, Cambodia, Cameroon, Canada, Chile, China, Colombia, Costa Rica, Côte d'Ivoire, Croatia, Cyprus, Czechia, Dominican Republic, Ecuador, Egypt, El Salvador, Finland, France, Georgia, Germany, Ghana, Greece, Guatemala, Honduras, Hungary, India, Indonesia, Iran (Islamic Republic of), Iraq, Ireland, Israel, Italy, Japan, Jordan, Kazakhstan, Kuwait, Kyrgyzstan, Lebanon, Libya, Madagascar, Malaysia, Malta, Mexico, Morocco, Myanmar, Netherlands, Nigeria, Oman, Pakistan, Panama,

Paraguay, Peru, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Russian Federation, Saudi Arabia, Sierra Leone, Singapore, Slovakia, Slovenia, South Africa, South Sudan, Spain, State of Palestine, Switzerland, Thailand, Timor-Leste, Togo, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, United Republic of Tanzania, United States of America, Uruguay, Venezuela (Bolivarian Republic of), Viet Nam, Yemen, Zambia, Zimbabwe.

8. The European Union, a regional economic integration organization that is a party to the Convention, was represented at the meeting.

9. The following United Nations programmes and funds, institutes of the United Nations Crime Prevention and Criminal Justice Programme Network and specialized agencies of the United Nations system were represented by observers: Basel Institute of Governance, World Bank (WB).

10. The following intergovernmental organizations were represented by observers: Asian-African Legal Consultative Organization (AALCO), Cooperation Council for the Arab States of the Gulf (GCC), European Union Agency for Law Enforcement Cooperation (EUROPOL), International Anti-Corruption Academy (IACA), League of Arab States, Organization for Security and Cooperation in Europe (OSCE).

11. The Sovereign Military Order of Malta, an entity maintaining a permanent observer office at Headquarters, was represented.

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