



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

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## Implementation Review Group

Resumed twelfth session

Vienna, 6–10 September 2021

### Draft report

Addendum

## VI. Technical assistance (*continued*)

### *Panel on technical assistance*

1. A panellist from Costa Rica presented his country's anti-corruption framework with a particular focus on international cooperation and asset recovery. Explaining that the legislation on transnational bribery focuses on three important components, including prevention measures, the compliance obligations of legal persons, and the recovery of assets nationally and internationally. The legislation established the liability of legal persons independently of the liability of natural persons and applying to domestic offences. On asset recovery, the StAR Initiative had provided technical assistance relating to the confiscation of assets linked to offences of domestic and transnational bribery, including the possibility of pursuing assets outside the national territory. Concerning the possibility of civil action for the recovery of assets, the panellist explained that his country's criminal procedural legislation allowed for an action for compensation to be made in parallel of a criminal action, allowing the recovery of assets in corruption cases by using social damage as a starting point. He highlighted the importance of international cooperation to achieve this goal. Finally, he referred to his country's illicit enrichment provision, which allowed a fiscal entity to initiate before the Administrative Court an order for the individual in person to indicate the origin of his assets, including those located abroad.

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