



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

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Open-ended Intergovernmental Working Group on Asset Recovery

Vienna, 25-26 August 2011

Provisional agenda and annotations

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Annotations

1. Organizational matters

(a) Opening of the meeting

The meeting of the Open-ended Intergovernmental Working Group on Asset Recovery will be opened on Thursday, 25 August 2011, 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 3/3, entitled “Asset recovery”, adopted by the Conference of the States Parties to the United Nations Convention against Corruption at its third session, held in Doha from 9 to 13 November 2009.

The proposed organization of work (see annex) was prepared in accordance with Conference resolution 3/3 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. Implementation of resolution 3/3 of the Conference of the States Parties and of the recommendations of the Working Group

In its resolution 3/3, the Conference decided that the Working Group should continue its work to advise and assist the Conference in the implementation of its mandate on the return of the proceeds of corruption. The Conference further decided that the Working Group should hold at least two meetings prior to the fourth session of the Conference, within existing resources.

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

- (a) To assist the Conference in developing cumulative knowledge in the area of asset recovery;
- (b) To assist the Conference in encouraging cooperation among relevant existing bilateral and multilateral initiatives and to contribute to the implementation of the related provisions of the Convention;
- (c) To facilitate the exchange of information among States by identifying good practices and disseminating them among States;
- (d) To build confidence and encourage 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) To facilitate the exchange of ideas among States on the expeditious return of assets;
- (f) To assist the Conference in identifying the capacity-building needs, including long-term needs, of States parties.

3. Asset recovery in practice: analysing asset recovery cases

At its third meeting, the Working Group recommended that the United Nations Office on Drugs and Crime (UNODC) consider preparing a compilation of cases relating to asset recovery, building on relevant experience of the Office.

At its fourth meeting, the Working Group requested the Secretariat to continue its efforts, in consultation with Member States, to compile asset recovery cases with a view to preparing an analytical study of such cases. The Working Group encouraged interested Member States to contribute voluntarily to such efforts, including through the self-assessment checklist and with due regard to the confidentiality of sensitive information.

The debate will be introduced by a panel discussion, including a presentation of a compilation of asset recovery cases developed by the joint UNODC-World Bank Stolen Asset Recovery (StAR) Initiative.

4. Networks for effective asset recovery

In its resolution 3/3, the Conference encouraged States parties to promote informal channels of communication, in particular prior to making formal requests for mutual legal assistance, by, *inter alia*, designating officials or institutions, as appropriate, with technical expertise in international cooperation in asset recovery as focal points to assist their counterparts in effectively meeting requirements for formal mutual legal assistance. The Conference encouraged those focal points and other relevant experts to come together, at the regional level or according to theme, to promote communication, coordination and the development of best practices, including by taking advantage of existing networks to avoid duplication. The Conference further called on all States parties that had not yet done so to promptly designate a central authority responsible for requests for mutual legal assistance and to notify the Secretary-General of the designated central authority, as required by article 46, paragraph 13, of the Convention.

At its fourth meeting, held in Vienna on 16 and 17 December 2010, the Working Group reiterated the need for a global network of asset recovery focal points with technical expertise and requested the Secretariat to resend to Member States its note verbale of 15 September 2009, in which it had requested them to nominate asset recovery focal points. The Working Group stressed the importance of regional networks and the need for collaboration and coordination with such networks and requested that the Secretariat prepare a background paper on existing networks of focal points, including the StAR/International Criminal Police Organization (INTERPOL) database of asset recovery focal points, for consideration by the Working Group. The Working Group further requested the Secretariat to send a note verbale to Member States requesting those that had not yet done so to designate a central authority responsible for requests for mutual legal assistance in accordance with article 46, paragraph 13, of the Convention.

The debate will be introduced by a panel discussion in which representatives of various networks will take part.

5. Consideration of a multi-year workplan

At its fourth meeting, held in Vienna on 16 and 17 December 2010, the Working Group stressed the importance of preparing States parties for the review of implementation of chapter V of the Convention and structuring its work accordingly, recognizing that the implementation of chapter V would be reviewed during the second cycle of the Implementation Review Mechanism, scheduled to commence in 2015. For that purpose, the Working Group recommended that the Secretariat develop, through the StAR Initiative or other relevant initiatives, a multi-year workplan for consideration by the Working Group at its next meeting.

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.

Documentation

Background paper prepared by the Secretariat on progress made in the implementation of recommendations of the Working Group on Asset Recovery (CAC/COSP/WG.2/2011/2)

Background paper prepared by the Secretariat on networks to support effective asset recovery (CAC/COSP/WG.2/2011/3)

Background paper prepared by the Secretariat on a multi-year workplan (CAC/COSP/WG.2/2011/4)

Annex

Proposed organization of work

<i>Date and time</i>	<i>Agenda item</i>	<i>Title or description</i>
Thursday, 25 August		
	1 (a)	Opening of the meeting
	1 (b)	Adoption of the agenda and organization of work
	2	Implementation of the recommendations of the Working Group
	3	Asset recovery in practice: analysing asset recovery cases
Friday, 26 August		
	4	Networks for effective asset recovery
	5	Multi-year workplan
	6	Adoption of the report