

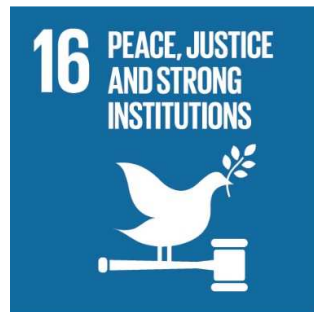


International Colloquium on Civil Asset Tracing and Recovery

6 December 2019



Vienna International Center



BACKGROUND

The International Colloquium on Civil Asset Tracing and Recovery will be held in Boardroom D of the Vienna International Centre, on 6 December 2019, after the fifty-sixth session of Working Group V (Insolvency Law) of the United Nations Commission on International Trade Law (UNCITRAL). The web page of the colloquium may be found at <https://uncitral.un.org/en/assettracing>.

The Colloquium is organized by the UNCITRAL secretariat, in cooperation with other relevant international organizations, pursuant to the request of the Commission at its fifty-second session in 2019 (A/74/17, paras. 203 and 221 (a)). At that session, the Commission agreed on the importance of the topic and on the usefulness of providing further guidance for States to equip themselves with effective tools for asset recovery. At the same time, it was considered essential to delineate carefully the scope and nature of the work that the Commission could undertake on that topic, and to avoid interference with existing instruments, for instance, those relating to criminal law (A/74/17, para. 202).

For that purpose, the Commission requested the Secretariat to organize a colloquium, in cooperation with other relevant international organizations, to further clarify and refine various aspects of the Commission's possible work in that area, for consideration by the Commission at its fifty-third session, in 2020.

The Colloquium should consider the elements of a possible toolkit on asset tracing and recovery and gather information in particular on the practices of civil law jurisdictions. It should also: (a) examine both criminal and civil law tracing and recovery, with a view to better delineating the topic while benefitting from the available tools; (b) consider tools developed for insolvency law and for other areas of law; and (c) discuss proposed asset tracing and recovery tools and other international instruments.

Participants at the Colloquium are invited to contribute to the discussion of those issues. The report of the Colloquium will be issued for consideration by the Commission at its fifty-third session (New York, July 2020).

Provisional programme¹

9:00	Registration of participants
9:30	Welcome address by the Secretariat
	<p style="text-align: center;">1. Main legal issues arising from asset tracing and recovery</p> <p><i>The aim of the session is to provide general overview of main legal issues arising from asset tracing and recovery in both civil and criminal law contexts. The focus of discussion will be on modern trends in asset tracing and recovery and controversial and sensitive issues that asset tracing and recovery raise. The session will be facilitated by asset tracing and recovery experts. Open discussion will follow statements of the facilitators. Statements from the floor are encouraged.</i></p>
11:00	Coffee break
11:15	<p style="text-align: center;">2. Perspectives of international organizations</p> <p><i>In this session, international organizations will explain the relevance of their work to asset tracing and recovery, including:</i></p> <ul style="list-style-type: none"> - <i>the Convention on the Taking of Evidence Abroad in Civil or Commercial Matters</i> - <i>the Cape Town Convention and its Protocols</i> - <i>the United Nations Convention against Corruption</i> - <i>“Going for Broke” publication of the UNODC/World Bank StAR initiative</i> - <i>UNCITRAL texts and ongoing work, in particular in the areas of insolvency law, security interests, electronic commerce and commercial fraud</i>
	Q&A
12:30	Lunch
14:00	<p style="text-align: center;">3. Real-life examples of the use of asset tracing and recovery tools in common law and civil law jurisdictions</p> <p><i>The aim of the session is to identify available legal tools for asset tracing and recovery in various jurisdictions and in different contexts, differences and similarities between them, difficulties encountered in asset tracing and recovery and ways to overcome them. Real-life case studies by invited practitioners will illustrate those points.</i></p>
	Q&A
16:00	Coffee break
16:15	<p style="text-align: center;">4. Possible work by UNCITRAL on civil asset tracing and recovery</p> <p><i>The aim of the session is to assess, on the basis of the preceding sessions, whether the international community will benefit from work by UNCITRAL on civil asset tracing and recovery and if so, which form that work should take and its scope. The session will be facilitated by a representative of the UNCITRAL secretariat. Statements from the floor are encouraged.</i></p>
17:00	Closure

¹ The programme may be further updated. Revised versions will be regularly posted on the UNCITRAL website (<https://uncitral.un.org/en/assettracing>).