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Anti-Corruption Helpdesk Answer

Asset Recovery and the Role of Civil Society

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Asset recovery is an important component of anti-corruption policy and practice. Through a structured process of identification, seizure, confiscation and return, asset recovery seeks to deprive corrupt actors of illicit gains and restore these resources to their rightful owners or country of origin.

This Helpdesk Answer maps the main stages of the asset recovery process, presents the key legal and institutional frameworks that govern asset recovery in the EU and identifies entry points for civil society organisations to support asset recovery efforts.

While civil society actors cannot replace the mandate or roles of law enforcement, courts or prosecutors, they can contribute to asset recovery through awareness raising, advocacy, investigations and monitoring the use of recovered assets. This can help ensure that recovered assets ultimately serve the public interest.

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SVENSKA POSTKODLOTTERIETS STIFTELSE

Query

Please provide an overview of the asset recovery process and the potential contribution of civil society organisations.

Main points

- Asset recovery is a multi-stage process involving intelligence gathering, investigation, freezing and confiscation, and the management, return and reintegration of recovered assets.

- International asset recovery cases are often significantly more complex than domestic cases due to cross-border legal, institutional and information sharing challenges.

- EU Directive 2024/1260 significantly strengthens the EU-wide asset recovery framework by mandating the creation of asset recovery offices, asset management offices and stipulating the development of national asset recovery strategies. EU member states are required to bring their national laws, regulations and administrative provisions into line with the directive by the 23 November 2026.

- Key entry points for civil society organisations looking to participate in the asset recovery process include awareness raising, advocacy, intelligence gathering and monitoring the management of recovered assets.

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Asset recovery and its objectives

Asset recovery refers to the set of legal and institutional measures used to identify, trace, freeze, confiscate and ultimately return assets obtained through corruption to their rightful owners or countries of origin (UNCAC 2004: Chapter V).

A key objective of asset recovery is to reduce the financial rewards associated with criminal (and corrupt) activity through the confiscation of ill-gotten gains. By returning misappropriated or stolen assets, governments can help reduce the financial incentives behind corruption and serious crime (FATF 2025: 21).

Asset recovery is equally important from the perspective of restoring justice to the victims of crime and corruption. Recovered assets can be returned to victims, invested in public goods or spent on purposes that seek to redress some of the harm caused by corruption and other crimes. For instance, in embezzlement cases, assets confiscated and returned through successful asset recovery processes can support public institutions and services in the country of origin that was deprived of resources (FATF 2025: 22).

Furthermore, by confiscating the proceeds of illicit activity in destination countries, asset recovery can address some of the market distortions potentially generated by the influx of illicit finance, such as inflated real estate prices, thereby helping to reestablish market stability. This is particularly important in sectors that are more prone to integration from illicit funds such as real estate, precious metals and stones, luxury goods and cash intensive businesses (FATF 2025: 22–23).

Building a strong legal and institutional infrastructure for asset recovery is particularly relevant in countries emerging from prolonged periods of state capture or systemic corruption. In such contexts, transitional justice extends beyond criminal accountability for individual perpetrators to include efforts to recover assets and wealth that were acquired through (often sustained episodes of) abuse of public office.

Corruption is not only a governance problem but also a significant violation of citizens' socio-economic rights and the social contract (Dupuy 2026: 13). The loss of resources to corruption often has implications for the quality of healthcare, education and social services, as well as economic opportunities.

Addressing corruption during political transitions can therefore contribute to a form of justice that also seeks to address these socio-economic harms while also

sending a strong symbolic signal that acknowledges corruption committed in the past (Dupuy 2026: 1–2, 13) Moreover, anti-corruption processes in political transitions can help reveal the full extent of corrupt practices and contribute to a renewal of the social contract between citizen and state (Dupuy 2026: 13–14). As such, asset recovery can be a distinct, but important, part of that endeavour.

The asset recovery process

Asset recovery is generally described as a multi-stage process that moves from the identification of potentially illicit assets to their eventual confiscation and return. While individual cases vary according to the jurisdiction and legal framework involved, the process generally consists of four phases. How exactly these four steps are labelled differs.[1] This Helpdesk Answer adopts the model proposed by the Basel Institute on Governance (n.d.):

1. pre-investigative phase

2. investigative phase

3. judicial phase

4. return phase

The pre-investigative phase

The asset recovery process begins when investigators[2] receive information about assets potentially obtained with illicitly gained wealth and work to gather further intelligence to substantiate or discount the initial suspicion. Financial intelligence plays a key role: investigators attempt to identify suspicious transactions, trace assets and understand how they have been moved.

Information at this stage may originate from suspicious transaction reports submitted by financial institutions, whistleblowers, journalists, civil society organisations, tax authorities and even social media. The purpose is not yet to prove criminal liability but rather to establish whether there are reasonable grounds to believe that some form of crime has occurred or that specific assets linked to criminal activity may exist. On this basis, investigators determine whether to assign resources to investigate the case. The central questions at this stage are thus whether an offence has occurred and who may be responsible (Basel Institute on Governance n.d.).

The investigative phase

If and when there is sufficient evidence, authorities initiate a formal investigation. During the investigative phase, investigators will attempt to determine both the underlying (predicate) crime that generated the assets (for example, embezzlement or trafficking) and the (potentially criminal) means by which funds

[1] For instance, the Civil Forum on Asset Recovery (CiFAR) divides the asset recovery process into: (i) pre-judicial; (ii) judicial; and (iii) return phase; Eurojust characterises the process as comprising: (i) asset tracing; (ii) asset freezing; (iii) asset confiscation; and (iv) asset disposal.
[2] At this stage, an investigator can be from both the financial intelligence unit, asset recovery offices but they can also be from civil society or similar.

may have been moved or laundered (UNCAC Coalition n.d.; Basel Institute on Governance n.d.).

The task of investigators becomes both to locate and freeze illicit gains, as well as linking these stolen funds to an initial predicate offence. This often involves gathering evidence on the individuals and entities involved, the value of illicit proceeds, the location of the offence and the mechanisms through which assets were moved across jurisdictions (Basel Institute on Governance n.d.).

During this stage, it is often the case that investigators will seek to freeze assets until a decision on whether to seize them can be made by a judge (UNCAC Coalition n.d.; Basel Institute on Governance n.d.). The assets that investigators may want to freeze are frequently located abroad, which often necessitates cooperation and coordination between authorities in multiple countries (Basel Institute on Governance n.d.).

The judicial phase

The third phase begins once the investigation has been completed and the case is referred to the courts. During this stage, judges assess the evidence. If the court rules that the assets were generated illegally (including through corrupt practices), it may order confiscation. Confiscation can occur differently across countries, depending on the legal instruments available to them. The most traditional is that confiscation occurs after a criminal conviction or civil proceedings. If the appeals are not successful, the assets (which may have been frozen in the meantime) are formally confiscated (Basel Institute on Governance n.d.). In international asset recovery cases, this can require the enforcement of a confiscation order issued by a requesting country by authorities in another country.

While the most common form of confiscation is conviction based confiscation, some jurisdictions also allow for non-conviction based confiscation. This enables authorities to confiscate assets linked to criminal activity without first securing a criminal conviction. Such mechanisms are particularly useful when a suspect has disappeared or died or, for some reason, enjoys immunity (UNCAC Coalition n.d.). It can also be effective when there is insufficient evidence that links a convicted person's crimes to specific assets (such as when there is proof that those assets are the product or the proceeds of a specific crime) (Basel Institute on Governance n.d.). In some non-conviction based systems, proceedings focus on the assets themselves rather than the guilt of a specific individual and are subject to a lower standard of proof than criminal proceedings (Basel Institute on Governance n.d.).

Some countries have also introduced unexplained wealth orders(UWOs), which require individuals to explain how they acquired assets that appear disproportionate to their lawful income. While UWOs are not confiscation measures as such, they can serve as an important investigative tool and may

support subsequent recovery proceedings where satisfactory explanations are not provided (UK Home Office 2018).

The return phase

The final phase of asset recovery is the return of confiscated assets to victims, rightful owners or countries. This phase involves determining the amount of assets to be returned, resolving or prioritising competing claims and deciding how recovered assets should ultimately be used (Basel Institute on Governance n.d.; UNCAC Coalition n.d.).

Effective asset management (by ensuring that proceeds are returned to where they are due) is critical during this phase. After all, returned assets should not be lost to corruption or other crimes again. Measures to ensure transparency and accountability during this phase are therefore an essential component of a successful asset recovery system (UNCAC Coalition n.d.; Basel Institute on Governance n.d.).

EU Directive 2024/1260 (discussed below) requires member states to implement measures to ensure that frozen and confiscated property is managed responsibly by offices that have a specific mandate to handle confiscated assets.

Domestic and international workflows

Overall, both domestic and international asset recovery workflows follow the same general process. Nonetheless, there are certain differences depending on whether: i) the stolen assets are (still) located within the jurisdiction in which the predicate offence occurred or; ii) the stolen assets are held abroad.

While there can be certain coordination challenges between different domestic agencies,[3] domestic asset recovery is usually somewhat more linear than international cases as the authorities are not reliant on the goodwill and cooperation of foreign governments to investigate, freeze, confiscate and return assets.

International asset recovery cases, on the other hand, require legal instruments that govern cooperation between institutions in multiple countries. The successful recovery of stolen funds held abroad can require: i) foreign states to recognise requests for information and legal assistance; ii) foreign states to initiate their own proceedings; and iii) securing agreement on how confiscated assets will be shared, repatriated or otherwise disposed of.

[3] For instance between law enforcement agencies, financial intelligence units, specialised asset recovery bodies and prosecutors.

Legal framework for asset recovery

In the absence of legal instruments or treaties between countries on cooperation in the domain of asset recovery, many states rely on the provisions set out in the UN Convention against Corruption.

In Europe, there are additional dedicated instruments to govern the asset recovery process and guide coordination between countries on this matter.

UNCAC Chapter V

UNCAC describes asset recovery as a "fundamental principle" of the convention and dedicates its entire Chapter V (Articles 51–59) to establishing a framework for the tracing, confiscation, return and recovery of assets derived from corruption (UNCAC Art. 51).

The central provisions of Chapter V cover the full asset recovery cycle: from prevention and detection of illicit asset transfers (Article 52) to direct recovery[4] and international confiscation mechanisms (Articles 53–55), as well as international cooperation, asset return and cooperation between financial intelligence units (Articles 56–58).

Article 52 focuses on prevention and detection by requiring states parties to strengthen due diligence regulation, beneficial ownership transparency, scrutiny of politically exposed persons and financial disclosure systems for public officials.

Articles 53–55 establish the mechanisms used to recover assets across borders. Article 53 requires state parties to permit asset recovery through civil proceedings. Articles 54 and 55 complement this by requiring them to establish mechanisms for recognising and enforcing other states' confiscation or freezing orders.

Articles 56–59 focus on international cooperation (including spontaneous disclosure[5]), asset return and cooperation between financial intelligence units, helping ensure that recovered assets can be traced, returned and ultimately benefit victims and affected states.

For EU member states, the UNCAC matters most when assets must be recovered from outside the EU as the process of recovering stolen assets is not subject to the EU's mutual recognition framework (see below).

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[4] Direct recovery is a mechanism that allows a sovereign state to initiate a civil action in a foreign jurisdiction and act as a private litigant in a foreign court to establish title and ownership of property and thereby reclaim stolen assets or seek damages resulting from corruption. This also requires that courts in destination countries are able to order compensation or damages to foreign states (UNCAC Coalition n.d.).

[5] Spontaneous disclosure stipulates that states parties can proactively alert a foreign counterpart if they uncover illicit assets (such as embezzled state funds or the proceeds of foreign bribery) without waiting for a formal request for mutual legal assistance from the foreign country.

EU Directive 2024/1260 on asset recovery and confiscation

The most important development in the European legal framework for asset recovery in recent years is the introduction of EU Directive 2024/1260 on asset recovery and confiscation.[6]

Directive 1260 replaces much of the previous EU asset recovery framework,[7] establishing a common minimum standard for the tracing, identification, freezing, confiscation and management of criminal assets across the whole European Union (Wahl 2024). The directive aims to strengthen the capacity of national authorities while simultaneously improving cross-border cooperation between member states (Wahl 2024).

The directive significantly strengthens the EU framework by expanding cross-border cooperation, enhancing the powers of asset recovery offices, and broadening the circumstances in which assets can be confiscated. It also requires member states to establish asset management offices, encourages the social reuse of confiscated assets, and could improve the ability of authorities to recover assets linked to corruption and organised crime that have been concealed through complex ownership structures.

Specifically, Article 4 of the directive requires member states to ensure that asset tracing investigations are initiated whenever criminal investigations concern offences likely to “generate substantial economic benefit”.

Article 5 requires each member state to establish at least one asset recovery office that is responsible for tracing criminal assets, identifying assets for freezing or confiscation and facilitating cooperation with counterparts across other EU member states.

Under Article 6, asset recovery offices must be granted access to a wide range of information, databases and registers, including real estate registers, company registers, beneficial ownership registers, vehicle registers and centralised bank account registers. They must also be able to obtain access to tax information, customs information, securities data, mortgage information, wire-transfer data and information relating to crypto-assets.

Article 11 requires member states to ensure that assets can be frozen rapidly where there is a risk that they may be transferred elsewhere or concealed before confiscation proceedings can be completed.

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[6] An EU directive establishes binding obligations on member states to bring their national laws, regulations and administrative provisions into line with the provisions of the directive.

[7] Including EU regulation 2018/1805 that required EU member states to automatically recognise and execute freezing and confiscation orders issued by other EU member states. This replaced the complex system of mutual legal assistance processes by ensuring mutual recognition, including through the direct transmission of freezing and confiscation orders between judicial authorities in EU member states. Unlike an EU directive, an EU regulation is a binding law that applies automatically and uniformly to all member states as soon as it takes effect, without needing to be passed into national law.

Article 12 requires member states to enable the confiscation of proceeds of crime following a final criminal conviction. The provision establishes conviction based confiscation as the primary confiscation model within the directive. Nonetheless, the directive also broadens confiscation powers in some of the following articles.

For instance, Article 13 permits confiscation from third parties where assets have been transferred to avoid confiscation. Article 14 introduces extended confiscation, allowing courts to confiscate property that is determined to derive from criminal conduct beyond the specific offence of conviction. Article 15 provides for non-conviction based confiscation in limited circumstances, including illness, abscondment or death of the suspect. Article 16 introduces confiscation of unexplained wealth linked to criminal conduct within a criminal organisation.

Article 19 encourages member states to allow confiscated assets to be used for public interest or social purposes and, in certain cases, allows confiscated assets to contribute to mechanisms supporting third countries. In addition to this, Recital 38 emphasises the social reuse of confiscated assets and its social and public benefits.

Article 22 requires member states to establish asset management offices responsible for managing frozen and confiscated property.

Article 25 requires member states to adopt national asset recovery strategies. Such strategies must contain specific priorities and, if possible, outline how confiscated assets can be used for public or social purposes.

Article 26 requires member states to ensure that asset recovery offices and asset management offices have adequate resources, both in terms of staff and training.

Council of Europe's Warsaw Convention

A key regional treaty is the 2005 Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism or the Warsaw Convention (see Council of Europe 2005), which has been described as a "comprehensive treaty covering both the prevention and repression of money laundering, as well as financing of terrorism, recovery of proceeds of crime, and international co-operation" (Androulakis 2023).

Notably, the convention:

1. requires states to criminalise laundering and terrorist financing, creating a basis for confiscation
2. provides a framework for tracking of proceeds of crime across borders
3. obligates states to allow seizure/confiscation of crime proceeds and related property
4. regulates mutual assistance for detection, freezing, forfeiture/confiscation and return (CETS 198, Arts. 3–33)

The convention marks an important legal basis for asset recovery cooperation between authorities both within and outside the EU. As of June 2026, it has been ratified or acceded to by member and non-member states, including the Russian Federation and all countries in the Western Balkan region, and has been signed with ratification pending by five states (Council of Europe n.d.).

In May 2026, the Council of Europe adopted an additional protocol to the Warsaw Convention to bring its global and regional provisions in line with EU standards and introduce several new mechanisms, including:

- states may be able to confiscate assets where there is no criminal conviction possible
- competent authorities can access to data held by financial institutions and virtual-asset service providers
- under certain conditions, states may return confiscated property to legitimate owners or to compensate victims even before a final confiscation decision is issued (Council of Europe 2026)

Institutional framework for asset recovery

Asset recovery relies on a complex web of institutions that operate and collaborate at different levels. For the purposes of this Helpdesk Answer, these are grouped into three broad categories: policymaking and norm-setting institutions, operational institutions, and coordination mechanisms. Some of these operate at a national level, some at a European or EU level, while others are global in nature.

Policymaking, norm and standard setting level

European Commission

For EU member states, the European Commission is an institution of great importance from a policy, regulatory and coordination perspective. It proposes and oversees EU asset recovery laws, monitors member state implementation, and assumed explicit coordination functions under directive 2024/1260.

For instance, the European Commission will chair a new cooperation network on recovery and confiscation (Article 29), create an online register of competent authorities and contact points (Article 32) and report on the implementation of the directive (Article 34). In addition, member states are required to submit asset recovery strategies to the commission national (Article 25) and annual statistics on confiscation and asset seizure (Article 28).

Council of Europe

The Council of Europe's mandate is oriented towards setting normative standards and monitoring efforts. In the field of asset recovery, its main value lies in subjecting states to peer review through MONEYVAL, which is a permanent monitoring body of the Council of Europe responsible for anti-money laundering and counter-terrorist financing (AML/CFT). It evaluates whether member states have effective systems for tracing, freezing, confiscating and recovering criminal assets, primarily through its mutual evaluation and follow-up processes that focus on AML/CFT more broadly (Moneyval n.d.a).

Asset recovery has become one component of MONEYVAL assessments, which examine issues such as financial investigations, confiscation measures, international cooperation and the management of recovered assets (Moneyval n.d.b).

UNODC

The United Nations Office on Drugs and Crime supports the implementation of the UNCAC and provides technical assistance to asset recovery. Its role is primarily normative and capacity building rather than operational.

UNODC has developed a range of practical tools and knowledge resources to support both policymakers and practitioners in the field of asset recovery. These include the TRACK (Tools and Resources for Anti-Corruption Knowledge) portal, which provides access to anti-corruption legislation, case law, country profiles and legal analysis, as well as the legislative guide and technical guide to UNCAC implementation.

Perhaps more importantly for the purposes of this Helpdesk Answer, UNODC jointly manages the Stolen Asset Recovery (StAR) Initiative together with the World Bank. Established in 2007, StAR's objective is to support efforts to recover stolen assets. It does so through policy engagement, research, support to strengthening legislation, developing institutional frameworks, building capacity to investigate and prosecute, supporting domestic coordination among authorities and facilitating international cooperation in asset recovery cases (StAR Initiative n.d.).

Financial Action Task Force

The Financial Action Task Force (FATF) is the principal global standard setting body on anti-money laundering, counter-terrorist financing and the recovery of criminal assets. FATF establishes the global standards that countries are expected to implement in their domestic legal and institutional frameworks (the 40 recommendations). Compliance with these standards is assessed through FATF and FATF style regional bodies' mutual evaluations. Being on the so-called black or grey list of FATF can have serious consequences, particularly on foreign direct investment and capital flows (Anderson & Cohen 2023)

Asset recovery has increasingly come into focus at FATF. In 2023, FATF adopted a set of asset recovery amendments to its standards (FATF 2023). The amendments create requirements that countries treat asset recovery as a strategic priority, strengthen coordination between relevant authorities and generally improve their capacity across the asset recovery process (FATF 2023).

Operational level

Financial intelligence units

Financial intelligence units (FIUs) serve as national centres for receiving, analysing and disseminating suspicious financial information. Their primary function is to transform financial information into intelligence that can support investigations into money laundering, corruption and other financial crimes (Egmont Group n.d.).

Some FIUs are embedded within judicial or law enforcement structures, while others operate more as intermediaries between the financial sector (reporting institutions) and investigative authorities.

FIUs play a particularly important role during the early stages of the asset recovery process, especially in asset tracing. They are central to locating illicit assets through financial intelligence, analysing suspicious transaction reports and other financial data and disseminating this intelligence to those law enforcement authorities responsible for further investigations and confiscation (Egmont Group 2025).

National asset recovery offices and national asset management offices

Asset recovery offices are specialised national bodies responsible for tracing and identifying assets that may be subject to freezing, confiscation or recovery. They play a central role in the early stages of the asset recovery process by locating criminal assets, gathering information on ownership and control and facilitating the exchange of information with foreign counterparts. As noted above, under Article 5, Directive 2024/1260 requires all member states to establish at least one asset recovery office and provide it with the powers and resources necessary to identify and trace assets linked to criminal activity. While they do not themselves decide on confiscation, their ability to identify assets and map ownership structures is often critical to successful recovery efforts (EU Directive 2024/1260, Article 6).

Several member states have developed highly specialised asset recovery institutions. Examples include France's Agency for the Recovery and Management of Seized and Confiscated Assets (AGRASC), Italy's National Agency for the Administration and Destination of Assets Seized and Confiscated from Organised Crime (ANBSC), Romania's National Agency for the Management of Seized Assets (ANABI), Ireland's Criminal Assets Bureau (CAB), Belgium's Central Office for Seizure and Confiscation (COSC) and Spain's Office for Asset Recovery and Management (ORGA).

In many of these cases, including Spain and Romania, the asset recovery offices also act as asset management offices (AMOs). AMOs deal with managing seized and/or confiscated assets. Article 22 of EU Directive 2024/1260 requires each member state to establish at least one component authority to manage seized and confiscated assets. These authorities may either manage assets directly or provide expertise and support to other authorities responsible for handling the assets.

Prosecutors, law enforcement agencies and courts

Prosecutors, law enforcement agencies and courts constitute the core institutions responsible for transforming financial intelligence and asset tracing information into enforcement; in other words, advancing the pre-investigative phase to the

investigative and judicial phases. The investigative phase – usually led by law enforcement agencies – identifies and secures potentially recoverable assets while establishing their connection to the underlying criminal activity (Basel Institute on Governance n.d.).

Once sufficient evidence has been gathered, prosecutors are generally responsible for initiating criminal proceedings, seeking confiscation orders and presenting evidence before the courts.

Courts play a central role in the judicial phase by assessing the evidence and determining whether the legal conditions for confiscation are met (Basel Institute on Governance n.d.). The courts also ensure that asset recovery measures comply with the principle in any state ruled by law, such as the right to due process and respect for private property.

European Public Prosecutor's Office

The European Public Prosecutor's Office (EPPO) is the European Union's independent prosecution authority responsible for investigating and prosecuting crimes affecting the “financial interests of the EU” (EPPO n.d.). Its mandate covers offences such as fraud involving EU funds, corruption affecting the EU budget and the misappropriation of EU assets (EPPO n.d.).

Although EPPO's primary purpose is the protection of the EU’s own integrity and EU funds (rather than general anti-corruption enforcement), asset recovery has become increasingly important. In 2022 EPPO established an asset recovery and money laundering advisory board to build expertise within the topic in EPPO (Wahl 2024).

Coordinating institutions at European level

Europol

Europol plays a supporting and coordinating role in asset recovery cases that involve different jurisdictions across Europe. Europol assists national authorities in the pre-investigative and investigation phases through tracing and investigating assets, and it supports investigations into money laundering and sanctions evasion (Europol n.d.). Europol also facilitates cooperation between asset recovery offices, FIUs and law enforcement agencies across Europe.

Europol launched the Asset Search and Seize Enforcement Taskforce (ASSET), an initiative that supports agencies in identifying and recovering criminal proceeds. Europol does not freeze or confiscate assets as such, but rather plays a coordination role by ensuring that national authorities can coordinate effectively in complex cross-border asset recovery investigations (Europol n.d.).

Authority for Anti-Money Laundering and Countering the Financing of Terrorism

The Authority for Anti-Money Laundering and Countering the Financing of Terrorism (AMLA) is the EU's new anti-money laundering authority. AMLA's mandate is to coordinate AML/CFT supervision across the EU and enhance cooperation among member states' FIUs as well as other relevant fiscal regulators (AMLA n.d.).

While AMLA does not investigate crimes or recover assets; its role in improving cooperation among FIUs is likely to have various indirect effects on asset recovery, including its efforts to enhance the implementation of AML/CFT and financial crime rules across the EU.

Global coordination mechanisms

Interpol

Interpol plays an important supporting role in international asset recovery by facilitating information exchange, operational coordination and cooperation between law enforcement agencies globally. Unlike Europol, which focuses on the European Union, Interpol provides a global platform for tracing criminal assets and supporting investigations. Interpol can connect both law enforcement agencies as well as asset recovery offices through its Global Focal Point Network on Anti-Corruption and Asset Recovery. The platform enables global level coordination on asset tracing, freezing, confiscation and return of criminal assets (Interpol n.d.).

In recent years, the organisation has expanded its role in asset tracing through the introduction of so-called silver notices. These are a type of Interpol notice designed explicitly to support tracing and recovering assets to serious crime and corruption. Silver notices are intended to help authorities identify assets at an early stage and facilitate faster intelligence sharing (Simões 2026). That said, the ability or willingness to act on silver notices is still a question of domestic laws and will (Simões 2026).

Egmont Group

The Egmont Group is a global association of FIUs to strengthen financial intelligence and information sharing in a variety of ways, including through its information exchange working group (Egmont Group n.d.b). Its role in supporting asset recovery materialises mainly through facilitating a global exchange of financial intelligence, which can enable FIUs to obtain valuable evidence relatively quickly.

Camden Asset Recovery Inter-Agency Network

The Camden Asset Recovery Inter-Agency Network (CARIN) is an informal network of national agencies working on the tracing, freezing and confiscation of

criminal assets. The network facilitates the exchange of information, operational experience, best practices and connects its members with relevant counterparts in other jurisdictions (CARIN n.d.). CARIN does not have any formal investigative or judicial powers, but it has become a forum for practitioners to establish contacts and exchange information quickly before formal mutual legal assistance procedures are initiated (CARIN n.d.).

Entry points for civil society in asset recovery cases

Although states are the primary actors responsible for tracing, freezing, confiscating and returning the proceeds of corruption, civil society organisations (CSOs) can play an important supporting role throughout the whole asset recovery process (CiFAR 2021; UNCAC Coalition n.d.).

Asset recovery cases typically involve public resources that have been misappropriated through corruption. As covered in more detail in this final section of the paper, CSOs can help ensure that asset recovery efforts are carried out in the public interest through:

- awareness raising and advocacy for reform, monitoring government actions (International Centre for Asset Recovery 2020: 11).
- complementing the work of public authorities at an operational level in the pre-investigative phase. In several cases, civil society organisations have contributed to asset recovery by conducting research and investigations, identifying suspicious assets, engaging with whistleblowers, supporting victims, facilitating dialogue between affected communities and authorities and monitoring the use of recovered assets. In some jurisdictions, CSOs have even supported legal proceedings where domestic law allows (International Centre for Asset Recovery 2020: 21).
- monitoring the reintegration of assets into society. Civil society tends to play a particularly important role in the final stages of the asset recovery process. Civil society organisations can participate in decisions concerning the return, administration and monitoring of recovered assets, ensuring that recovered funds are not diverted or misused after recovery and are used for the benefit of society (CiFAR 2021, see Principles 3, 6 and 10).

At the same time, there are certain aspects of the asset recovery process where it can be difficult for civil society to contribute directly. For instance, it is not always possible for CSOs to become directly involved in court cases either as a party or a litigant (CiFAR n.d.: 30). Similarly, in some jurisdictions, authorities may not permit CSOs to participate in or contribute to criminal investigations (CiFAR n.d.: 30).

Awareness raising

One of the most accessible entry points for civil society organisations in asset recovery is awareness raising. Civil society organisations can help raise awareness among citizens, public institutions, financial institutions and other stakeholders about the importance of asset recovery, the harms caused by corruption and illicit financial flows, and the roles and responsibilities of the different actors involved in the recovery process (International Centre for Asset Recovery 2020: 11). Awareness raising can take many forms, including public campaigns, petitions, open letters, social media outreach, public events, policy reports and investigative journalism (CiFAR n.d.: 27).

Advocacy for reform

Beyond awareness raiding, civil society can advocate for legal and institutional reforms that strengthen the capacity of asset recovery regimes. Such advocacy may focus on strengthening confiscation frameworks or closing specific gaps in national or international cooperation (International Centre for Asset Recovery 2020: 15–16).

Evidence based advocacy can push for specific public policy reforms with objectives such as strengthening confiscation capacities, addressing insufficient transparency requirements, enabling investigators to access beneficial ownership information, improving whistleblower protection or providing more resources to those institutions responsible for recovery institutions (International Centre for Asset Recovery 2020:16, CiFAR n.d.: 27). CSOs can engage ministries, parliamentarians and other stakeholders involved in the reform process or build coalitions with the private sector, media, academic institutions and other civil society actors to support reform efforts (International Centre for Asset Recovery 2020: 16).

In the European context, civil society can also play an important role in monitoring and advocating for the implementation of international and regional standards and treaty requirements, especially the EU Directive 2024/1260 and Chapter V of the UN Convention against Corruption. This may include advocating for and monitoring the establishment and activities of asset recovery offices and/or asset management offices, contributing to the development of national strategies and campaigning for measures to improve transparency in the management and disposal of confiscated assets.

Operational entry points: Investigations

Civil society can also occasionally contribute to the asset recovery process at a more operational level, including through structured fact finding and analysis to identify ill-gotten assets.

For example, civil society organisations and investigative journalists have played an important role in advancing recovery by exposing stolen assets in a wide

range of countries and cases, including in the case of a French seizure order of misappropriated funds by political elites in Congo-Brazzaville (International Centre for Asset Recovery 2020: 21–26).

In practice, CSO investigations often begin with identifying something suspicious, such as a suspicious transaction, a procurement process that seemed out of the ordinary or perhaps a public official or relative flaunting wealth that appears disproportionate to known sources of income.

Then the objective is to establish links between specific assets and individuals and/or corporate entities. Such links can be established by reviewing publicly available information such as company registries, beneficial ownership registers, court records, procurement databases, media reporting (adverse media screening) and leaked registries. Increasingly, civil society organisations also rely on open-source intelligence (OSINT) methods (See Basel Institute n.d.c).

There are a growing number of resources available to OSINT investigators looking into corruption, such as the Organized Crime and Corruption Reporting Project's ALEPH platform, the ICIJ Offshore Leaks Database and OpenSanctions that can assist in tracing relationships between persons, companies and assets across jurisdictions. The Basel Institute on Governance has released several self-paced eLearning courses on topics such as OSINT, Operational Analysis of Suspicious Transaction Reports and other financial crime related topics.

In addition, CSOs can, in some jurisdictions, extend their research into direct participation in legal proceedings related to asset recovery. A frequently cited example is the French *Biens Mal Acquis* case involving Teodorin Nguema Obiang, vice-president of Equatorial Guinea. Anti-corruption NGOs filed complaints alleging money laundering linked to assets acquired in France. The proceedings ultimately resulted in Obiang's conviction for money laundering and the confiscation of assets (Brimbeuf 2021: 3–4). This was possible as French law recognises anti-corruption NGOs' legal standing in corruption cases, and NGOs may launch anti-corruption proceedings, including in relation to asset recovery (see Perdriel-Vaissière 2017).

While impressive, such CSO led investigations cannot substitute official investigations conducted by law enforcement bodies and state agencies with the necessary legal mandate to freeze, seize and confiscate stolen assets. The role for CSOs is to identify leads, organise information and provide evidence based analysis to law enforcement agencies rather than conduct criminal investigations.

Financial intelligence units, asset recovery offices and law enforcement can access privileged information to which the public does not have access (International Centre for Asset Recovery 2020: 21). Investigative work in the pre-judicial phase should also be carefully weighed against the general environment and potential political and legal risks. Moreover, investigators also need to be careful not to do harm during OSINT research by, for instance, violating privacy

laws, accidentally exposing a source, defaming potential suspects or putting themselves at risk (CiFAR n.d.: 29).

Finally, effective casework typically requires a combination of analytical skills and a team that possesses expertise in areas such as financial and corporate investigations, asset tracing, open-source intelligence and information security. In practice, CSOs could collaborate with third parties, such as investigative journalists or lawyers, to gain access to specialised skillsets and knowledge (CiFAR n.d.: 30; International Centre for Asset Recovery 2020: 21–25).

Monitoring the use of recovered assets

Civil society organisations can play an important role after assets have been confiscated by helping to ensure that recovered assets are managed and disbursed in a transparent, accountable manner (CiFAR 2026: 4, 10).

While asset recovery is often viewed as ending with confiscation, the return phase presents significant governance and corruption risks as well. Without adequate oversight and anti-corruption checks, recovered assets may also be mismanaged, diverted or captured by political interests. In 2021, for instance, investigations by Italian authorities uncovered allegations of corruption and mismanagement involving court appointed administrators responsible for managing confiscated assets in Palermo (Đorđević 2022: 12)

In this context, CSOs can perform a watchdog function by independently monitoring asset management processes and evaluating whether confiscated assets are being used in accordance with legal requirements and public interest objectives (CiFAR 2026: 10, 15).

CiFAR (2026) notes that civil society monitoring can take several forms. This includes: i) monitoring specific asset recovery cases and return agreements; ii) monitoring the performance of public institutions responsible for managing recovered assets (such as asset management offices); and iii) monitoring the governance and handling of the funds to ensure that returned assets remain traceable and can be used for their intended purposes (CiFAR 2026: 15).

As such, civil society organisations can also take a position against poorly designed asset return procedures. For instance, following the confiscation of assets linked to Gulnara Karimova,[8] several NGOs and Uzbek activists criticised plans to return recovered funds to the Uzbek treasury. In their view, the return arrangement lacked safeguards and was not compliant with the Principles for Disposition and Transfer of Confiscated Assets in Corruption Cases adopted at the 2017 Global Forum on Asset Recovery (Brimbeuf 2021: 7–8).

The principal obstacle to effective civil society monitoring of recovered assets is that, in many contexts, there is no guarantee that authorities will disclose details

[8] The daughter of Uzbekistan's former president and subject to a major global bribery scandal (see BBC 2023).

relating to return agreements or the intended final use of returned funds. In some cases, civil society organisations have had to make use of freedom of information laws to obtain access to the relevant information on recovered assets (CiFAR 2026: 18). For example, in Nigeria, the 2011 freedom of information act provided for a legally enforceable right for any person or organisation to obtain public records without showing personal interest. Public records related to asset recovery cases may fall under this scope, and the Socio-Economic Rights and Accountability Project (SERAP), Nigerian CSO, had undertaken litigation to compel authorities to respond to its freedom of information requests (CiFAR 2026: 15).

Besides watchdog functions, civil society can contribute to the actual use of funds. A growing trend, both legally and in practice, is to earmark confiscated funds to “social reuses” that create a public benefit. Examples can be community projects, victim assistance programmes, social services or local development initiatives. Following a 2014 EU directive encouraging the use of confiscated property for public interest or social purposes, the majority of EU member states adopted legislation permitting some form of public benefit in the use of criminal assets (Đorđević 2022:7). As discussed above, Article 19 of EU Directive 2024/1260 likewise encourages member states to allow confiscated assets to be used for public interest or social purposes.

There is a sizeable body of examples on social reuses of confiscated assets, both globally and in Europe. The UN Interregional Crime and Justice Research Institute (UNICRI) has compiled a list of policies and practical examples from around the world, including several domestic asset recovery cases across Europe. In France, confiscated properties have been allocated to civil society organisations to support victims of crime (UNICRI 2025: 31–32). In Bosnia and Herzegovina, confiscated assets have been mobilised to address humanitarian and educational needs, including accommodation for Ukrainian refugees and citizens displaced by landslides in 2024 (UNICRI 2025: 25–26). In Albania, a confiscated nightclub was transformed into a social enterprise (UNICRI 2025: 16–19). In Bulgaria, confiscated properties have been converted into public buildings, including a police station and a local registry office (UNICRI 2025: 28).

Civil society can play a role in advocating for and monitoring the social reuse of confiscated assets to ensure they are safeguarded from future misappropriation by officials in recipient governments (UNICRI 2026). For instance, in Italy (a country that has extensive experience with recovering assets from organised crime), organisations such Libera and Libera Terra work on confiscated mafia property, the latter with a focus on turning land confiscated from the mafia into agriculture. Also in Italy, Confiscati Bene, is a project to map confiscated assets from the mafia.

Examples of CSOs playing leading roles in designing and monitoring the social use of confiscated assets[9]

The Abacha Loot (Nigeria)

Millions of dollars stolen by former Nigerian dictator Sani Abacha and hidden in Swiss and other international accounts were recovered and returned to Nigeria in several tranches on the condition they needed to be used for social reuse programmes, for example, to build road infrastructure, create employment and promote health, education and agriculture (Attisso 2019). Civil society oversight was embedded in these programmes, and local CSOs were involved in reviewing project sites and tracking construction and implementation (Jimu 2019). A report later published by a consortium of these CSOs identified several shortcomings and corruption risks on the part of government officials and contractors, such as the existence of ghost projects (Jimu 2019). The most recent civil society oversight phase (2019 and 2020) for a tranche of US$320 million transferred from Switzerland to Nigeria enlisted over 112 CSOs to support monitoring (UNICRI 2025: 49).

The BOTA Foundation (Kazakhstan)

In the late 2010s, the US, Swiss and Kazakh governments, along with international NGOs, repatriated up to US$115 million in proceeds of a foreign bribery case linked to petroleum companies seeking concessions to extract oil resources in Kazakhstan (Jimu 2019). Upon transfer, BOTA Foundation, an entity independent from government, was set up to deliver conditional cash transfers, college scholarships and social services to over 200,000 vulnerable individuals in Kazakhstan (UNICRI 2025; Pachecho and Balasubramanian 2015). In addition to the foundation, CSOs such as the International Research & Exchanges Board (IREX) and Save the Children assisted on programme design and provided technical assistance to ensure funds reached intended beneficiaries (Pachecho and Balasubramanian 2015).

[9] For more examples, the reader is invited to consult: UNICRI. 2025. Social Reuse of Seized and Confiscated Assets: Good Policies and Practices.

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