

# RECOVER Project (GA no. 101091375)

## WP5 – Asset Recovery Office’s Activities and Management of Frozen and Confiscated assets

### *Questionnaire for the partners*

#### Section 1 – Asset Recovery Offices (AROs): Structure and Activities

1. Which agencies serve as the Asset Recovery Offices (AROs) in your country? Under which government department or agency do they operate?

Portugal has only one ARO. It has not as specific name, it is designated as GRA (gabinete de recuperação de ativos meaning, in Portuguese, asset recovery office). It works under the remit of the Criminal Police (Polícia Judiciária) and it is composed by elements from criminal police, registry and Notary Authority and Tax and customs Authority and has powers investigation similar to those of the criminal police bodies.

2. Are there any instances in your country where the Reg. (EU) 2018/1805 (hereinafter, the REG) was applied with the involvement of the ARO? Please provide examples and data if available.

Unfortunately, from the experience we have at ARO, the Reg. does not seem to be well applied, or even properly known. It has not happened that we have been called upon to intervene in situations in which 2018/1805 is invoked for direct application. Recently, we received from the Public Prosecutor's Office, requesting collaboration in the seizure of properties and cars, a situation in which another Member State under the Reg. sent the relevant annexes. We do not know which contact channel was used between the Public Prosecutor's Offices of the other country and Portugal, however the process in Portugal seems to have been undergone is the same as that of an EIO.

3. What are the main activities undertaken by your ARO in applying the REG (e.g., asset tracing, investigative support, international coordination)?

As results from what we said in the previous point, we do not have data that allows us to validly answer this question. However, the ARO is well equipped with search tools in databases suitable for tracing assets and supporting investigations that we use both in domestic cases and in cooperation with other AROS. With regard to international coordination, we do not have that experience of ARO leadership. ARO has participated in cases led by EUROPOL and EUROJUST but in interventions just to trace assets or in which seizing actions were supported by an EIO.

4. What are the biggest challenges your ARO faces in the application of the Regulation, and how are these addressed?

The main challenge, or even the primary problem is that the Reg. does not directly foresee a role for the ARO internally and, both with regard to Portugal and with regard to other Member States, it does not appear to have been effectively established which are the Competent Authorities as set out in article 24 of the Reg. The effectiveness of the Reg., with an effective contribution from the ARO would involve, internally, giving it a role in the processing of the Judicial decisions, or giving it freezing powers.

5. What tools and databases does the ARO most commonly use when applying the REG, especially for asset tracing (e.g., accessing public records, utilizing professional services or software)?

With the safeguards already mentioned in the previous points, those that we consider the best instruments that are available to the GRA, include direct access to databases such as: national citizenship and population registers of natural persons; national social security data; national real-estate registers; commercial registers; national beneficial ownership registers; centralized bank-account registers; fiscal data; data stored in the Visa Information System; criminal data from the data base of Criminal Police ; data from Schengen Information System. This is just to mention some of the types of data we access, all held by public entities. Not having direct access, we can request information, without prior judicial authorization, from the Insurance Supervisory Authority and from the Securities Regulatory Entity.

6. How does your ARO collaborate with AROs from other EU member states in applying the REG? Please provide examples and data if available.

The same previous issue, previously mentioned, remains: in the collaboration requested by other AROS, the requests are mostly for asset tracing, the use of information has the limits usually that are also imposed on the use of information regarding police cooperation: it cannot be used as evidence and furthermore what is possible is to grant authorization for its use in an MLA request. Over the last year we have received some requests from other AROs (particulary PIAC, the french ARO) transmitted through SIENA, in which we are asked to identify the holders of a national bank account that received transfers in cases of internet scams and we are also asked to freeze the account. In these cases we never see references to the Reg, but however we admit that these are requests in application of it (because sometimes reference is made to a decision by a public prosecutor). As we do not have freezing powers, whenever the transfer occurred on a date close to the receipt of the request, we try to help by contacting the recipient bank and the FIU so that the amounts can be insured through the mechanisms provided for in the Money Laundering Prevention Law - which are also not the fastest to ensure that the victim recovers the sum of the loss. When we are asked which authority is competent to receive a freezing order, unfortunately we do not have a clear answer to provide, we always reiterate that we are not competent and, also for us, it is not identifiable to whom, or to where, we should forward it.

7. How many times has your office contacted the ARO for information or assistance in the past three years? What was the subject of your request?

In the past three years the Public Prosecutor's office contacted the ARO several Times. However, there is no statistical data about these contacts. The contacts were made in order to improve proceedings, to prepare joint activities (for instance training), to solve some procedural or interpretative problems.

8. In which areas does the ARO provide the most support to your authority? (e.g., asset tracking, legal support, international cooperation).

The ARO support the Public Prosecutor's Office in all areas where they have competence.

Usually, the ARO conducts the financial or patrimonial investigation, tracing and seizing the assets.

The ARO carries out the financial or patrimonial investigation upon determination of the Public Prosecutor's Office:

- a) In the case of instruments, goods or products related to crimes punishable by a prison sentence of 3 years or more; and
- b) When their estimated value exceeds € 102.000,00.

It also provides international cooperation (to and from foreigner countries), but the fact is that it is not frequently requested, since the most part of the public prosecutors and judges don't know about the ARO and its competences. In these case there isn't threshold, so the ARO must always provide such kind of collaboration.

In Portugal the ARO doesn't provide legal support.

9. Which technologies or tools provided by the ARO do you find most useful in your activities/investigations?

The information that the ARO can gather is available for other institutions (for instance direct access to the Central Bank account register). However, these pieces of information are separated. No institution has all this information together. So, what I think is most useful is the possibility of accessing all this information through a single institution.

10. Could you provide examples of successful cases or challenges encountered in collaborating with the ARO?

There are many successful cases worth mentioning.

I once received a call from a Spanish colleague belonging to the CARIN network, asking for my help because of a person in Spain who had been the victim of a fraud crime. The funds had been deposited in an account based at a Portuguese Bank. Through the ARO it was possible to provisionally freeze these assets, until the competent request for their seizure was sent for subsequent return to the victim.

11. What legal or administrative challenges prevent effective collaboration between your authority and the ARO? Are there regulatory or bureaucratic barriers that limit effective cooperation?

So far there are no legal or administrative challenges preventing collaboration between the Public Prosecutor's office and the ARO. Even so, since the relationship relies on the goodwill of the people a better detailed system would be better. As we already said the ARO is on the Ministry of Justice and so the public prosecutor's office can not control the allocation of resources, the priority of cases, the exemption of the investigation, etc.

12. Do you have any proposals for the harmonization of EU MS legislation on the structure and the activities of AROs?

The structure of the AROs should be the same in all Member States.

The same happens with the powers of the AROs.

The information gathered as intelligence should be valid as evidence.

13. Could you provide us with potential guidelines regarding the structure and the activities of AROs?

The AROS' own initiative powers should be clarified. In Portugal they can only act at the request of a judicial authority (judge or public prosecutor) or at the request of a foreign authority. They have no initiative of their own.

In addition, they must have broad investigative powers in order to be able to identify the assets generated by the crime. Violation of the limits on your investigative powers can always be questioned later. Since this is not a criminal investigation itself, it would be better to establish what its effective powers are and what the consequences of its violation are.

14. Do you have any further reform proposals, at a national or international level, concerning the structure and the activities of AROs?

AROS must have a multidisciplinary structure, with different types of skills, police, legal, commercial, registry, so that, working as a team, they can collect as much asset and financial information as possible. We also cannot lose sight of police information. The ARO (as is the case in the Portuguese case) cannot be limited to a mere investigation on paper. There is a lot of information that can only be collected on the ground, using techniques that are truly police and not just office-based.

15. Do you have any further policy recommendations, at a national or international level, concerning the structure and the activities of AROs?

Even if the new Directive is correctly transposed by all Member States, there will be big differences between the powers and approaches of all the AROs and that can hamper cooperation. For instance, there will be police AROs, judicial AROs and even double AROs.

16. In light of the new [Directive \(EU\) 2024/1260](#) on “asset recovery and confiscation”, do you consider the changes proposed for the functioning and composition of AROs to be effective? Please explain your reasoning and any anticipated impacts on your operations.

The measures announced in the Directive, regarding AROs, in the case of articles 5, 6 and 8, do not pose major difficulties. The tools we have and the legislation that supports us do not differ much from what is established there. The freezing powers established by article 11 is the measure that we have already considered essential to the effectiveness of the systems to stop the chain of electronic transfers between jurisdictions. This is the biggest achievement of the Directive but also the biggest challenge. We will need to structure ourselves and coordinate with the Judicial Authorities with the aim of achieving effective success in recovering assets and quickly returning them to the injured parties, particularly in the increasingly widespread cases of fraud committed by organized crime in cyberspace.

17. Does your organization collect data on the gender of individuals affected by asset freezing and confiscation orders? How is this information used to inform the functioning and policies of the ARO?

In Portugal there aren't such kind of data. Of course, the name can be an indicator, but just that because it is not reliable.

## Section 2 – The Management and the Social Reuse of Frozen and Confiscated Assets

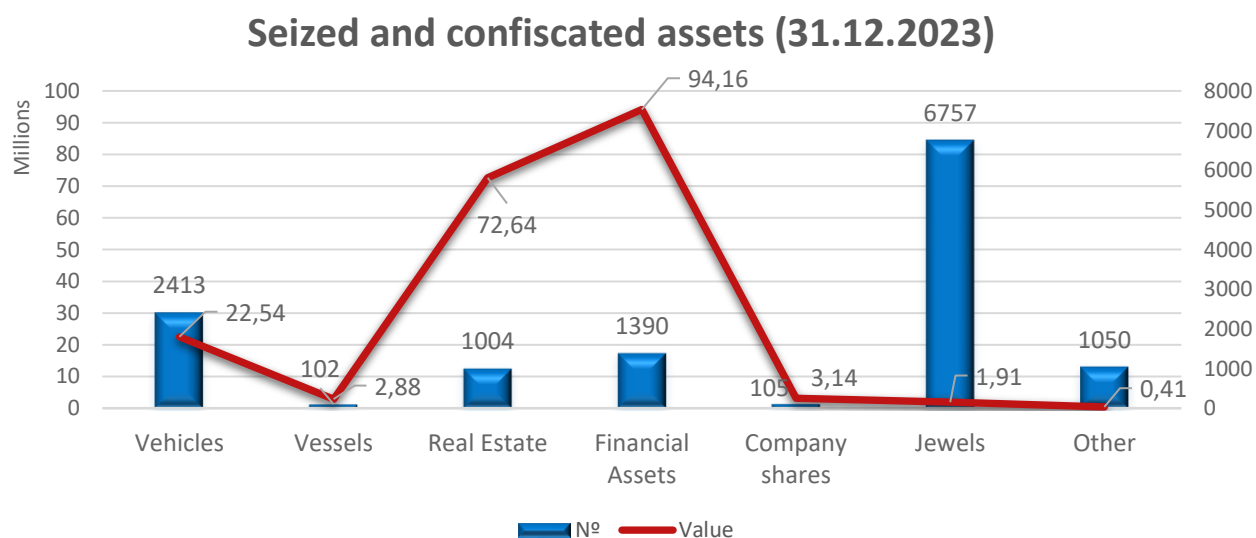
1. Which entities or agencies are responsible for managing frozen and confiscated assets in your country?

Please provide a brief description of the activities performed by each entity or agency.

In Portugal, there is an Asset Management Office (Gabinete de Administração de Bens) which operates within the Institute of Financial Management and Equipment of Justice (IGFEJ) and is responsible for managing seized or confiscated assets in criminal proceedings or international judicial cooperation.

As part of its mission, Portuguese AMO ensures the disposal of the assets by selling them, destroying them if they have no value or by allocating them to a public or social purpose.

2. Can you provide statistics on the types and values of assets currently managed by authorities responsible for frozen and confiscated assets? How many of these assets result from the application of the REG?



3. How do competent authorities maintain the value of confiscated and frozen assets, especially for items requiring specific measures to prevent degradation?

Law 45/2011, of 24 June, which establishes asset management procedures, provides the possibility to sale perishable, deteriorating or depreciating assets before a conviction. We think that is definitely the best way to prevent assets from degradation and maintain their value.

4. Are there any international or interagency collaborations aimed at improving the management of assets frozen or confiscated under the REG?

Portuguese Asset Management Office (AMO) participates in Asset Recovery Offices Platform Meetings, organized annually by the European Commission, and is open to collaborate with our European colleagues in the scope of the international judicial cooperation.

5. How do competent authorities ensure transparency in the management and disposal of frozen or confiscated assets in your country? How are risks of corruption or mismanagement addressed?

Asset Management Office (AMO) activities are guided by the principle of transparency, aimed at the efficient management of the seized or confiscated assets. As sales are one of the possibilities allowed by the law, we have a website where we publish all of our sales adverts.

Also, to ensure transparency in sales, we choose mainly the electronic auctions in accordance with our legislation.

In order to prevent corruption risks or mismanagement, we have implemented some risk mitigation measures such as double checking management acts, using specialised experts according to the type of assets, segregation of duties, just to give some examples.

6. What are the main challenges that competent authorities in your country face in managing confiscated and frozen assets, and how do they tackle them? If possible, make specific reference to goods frozen and confiscated under the REG.

One of the main challenges we face is the high management costs of some types of assets, such as boats because Portugal has a long maritime coastline and we have a huge number of this kind of assets. In this case, we always try to use the mechanism of anticipated sale mostly because these are assets that can depreciate in value if they are not properly maintained.

Another problem we face in asset management is related to the probative value of assets. As long as the magistrate has not issued an order stating that the assets have no evidence value, it is not possible to dispose of them. Sometimes this situation continues until there is a forfeiture decision.

7. What procedures are followed for the sale or disposal of frozen and confiscated assets? What criteria are used to decide whether to sell or reuse an asset?

In order to sell confiscated assets, AMO need to have them appraised by a specialised expert to determine their commercial value. In the case of vehicles, boats or aircraft, if they have a value of less than € 3.000, the law states that the only possible destination is sale.



In the case of assets with a higher value, the AMO analyses the needs that have been identified that could be covered by the possible reuse of the assets by public entities connected with the administration of justice and determines their allocation to a public purpose.

If they don't fit into this situation, they will always be sold.

8. Describe the process of selling confiscated assets. What sales methods are used (public auctions, private sales, online sales, etc.)? How is the selling price of confiscated assets determined?

AMO uses mainly electronic auctions to sale seized or confiscated assets but for some exclusive or luxury items sometimes the option goes to public auctions.

The selling price is determined by specialised public or private experts according to the type of assets.

9. What is the average time between the confiscation of an asset and its sale?

It is not possible to determine the average time between the confiscation decision and the sale of the assets because it takes time for the judicial authorities to inform the AMO of this fact.

10. How are the proceeds from the sale of confiscated assets managed? If possible, make specific reference to goods frozen and confiscated under the REG.

According to the general rule, 50% of the proceeds from the sale of confiscated assets go back to the Justice Modernisation Fund, 49% to the IGFEJ and 1% to the Commission for the Protection of Victims of Crimes.

However, there are specific rules for confiscated assets under the drug, gambling or human trafficking law. In any case, if the final decision stipulates a specific destination for the assets, the AMO will have to comply with that.

11. Have there been cases where assets frozen or confiscated under the REG have been used for the benefit of the community? Could you provide some examples?

In Portugal we don't have that experience.

12. Are there specific procedures for transferring confiscated assets to public bodies or non-profit organizations?

In Portugal we have specific procedures to transfer seized or confiscated vehicles to public bodies because there is a public organization that manages the State Fleet and AMO needs to follow their rules. Actually, this is the only example in Portugal of public reuse of seized or confiscated assets.

13. What are the main challenges in reusing confiscated assets, and how are they addressed?

Since last year we have been working on confiscated real estate properties in order to dispose them, not only through sales but also through the possibility of social or public reuse.

We are facing many challenges to solve some problems such as, for example, mortgages, registration issues and properties that remain occupied by the offender.

14. What types of confiscated assets are commonly allocated for social reuse (e.g., real estate, vehicles, technological goods)?

We only have confiscated assets allocated for public reuse. We still don't have any example of social reuse.

15. Which entities or organizations are involved in deciding and implementing the social reuse of confiscated assets?

We still don't have any example of social reuse.

16. What is the process for oversight and control to ensure that assets are used appropriately and effectively once assigned for social reuse?

We still don't have any example of social reuse.

17. How is the maintenance and insurance of confiscated assets managed during their use for social purposes?

We still don't have any example of social reuse.

18. Have there been any successful or unsuccessful cases of social reuse of confiscated assets that could provide lessons for improving future practices?

We still don't have any example of social reuse.

19. Considering the specific vulnerabilities of female victims in cross-border crimes, what measures are in place to ensure that women's rights to compensation and restitution are prioritized in the management of frozen and confiscated assets?

In Portugal there is a public body under the scope of the Ministry of Justice specialized on Crime Victims Compensation. 1% of the revenues from confiscated assets are transferred to their budget from AMO. They have total autonomy to define their policies and there is no interference from AMO.

20. Do you have any proposals for the harmonization of EU MS legislation on the management and social reuse of frozen and confiscated assets?

The new Directive will be an excellent opportunity for all the MS to improve asset management, specifically defining new procedures to accelerate sales before a conviction and to implement social reuse of confiscated assets.

21. Could you provide us with potential guidelines regarding the management and social reuse of frozen and confiscated assets?

The new Directive establishes guidelines inspired in best practices of some MS that have an extended experience in asset management.

22. Do you have any further reform proposals, at a national or international level, concerning the management and social reuse of frozen and confiscated assets?

No.

23. Do you have any further policy recommendations, at a national or international level, concerning the the management and social reuse of frozen and confiscated assets?

No.

24. Considering the provisions of the new [Directive \(EU\) 2024/1260](#) on “asset recovery and confiscation”, how effective do you find the new measures regarding the management and social reuse of confiscated assets? Are there aspects of the directive that could be improved or implemented differently?

The biggest challenge will be the lack of human and material resources for the implementation of the legal procedures regarding asset management and the political empowerment that is needed to do so efficiently.

### **Section 3 – Victims’ rights to compensation and restitution in cross-border confiscation and third parties’ rights**

1. What national laws or regulations govern the rights of victims to compensation and restitution in cross-border confiscations?

The article 67-A of the Criminal procedure Code provides the definition of victim and the law Lei no. 130/2015, from 4th September, provides the victim status. This law transposed the Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.

The Law no. 144/99, of 31 August (International judicial cooperation law in criminal matters) doesn't provide any special rule regarding the victim's rights. However, Portugal fully applies the ONU conventions, namely article 14, no. 2 («When acting on the request made by another State Party in accordance with article 13 of this Convention, States Parties shall, to the extent permitted by domestic law and if so requested, give priority consideration to returning the confiscated proceeds of crime or property to the requesting State Party so that it can give compensation to the victims of the crime or return such proceeds of crime or property to their legitimate owners.) of the United Nations Convention against Transnational Organized Crime and article 57, no. 3, («(c) In all other cases, give priority consideration to returning confiscated property to the requesting State Party, returning such property to its prior legitimate owners or compensating the victims of the crime») of the United Nations Convention against corruption.

The same happens with article 25, no 2 of the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (When acting on the request made by another Party in accordance with Articles 23 and 24 of this Convention, Parties shall, to the extent permitted by domestic law and if so requested, give priority consideration to returning the confiscated property to the requesting Party so that it can give compensation to the victims of the crime or return such property to their legitimate owners.).

At European level we can use, both as requesting and executing state the Regulation (EU) 2018/1805.

So, there is no internal law regarding this issue, but this is not a problem since Portugal can always apply the international rules.

2. Are there bilateral/multilateral agreements that your country utilizes to facilitate compensation and restitution for victims in cases of cross-border confiscation?

There are some bilateral/multilateral agreements between Portugal and other countries (for instance Switzerland) related with assets recovery.

Portugal is also part on the convention of Legal Aid in Criminal Matters between the Member States of the Community of Portuguese-Speaking Countries which article 16, no. 3, provides as follows: «3 — The requested State, to the extent that its law allows it, must: [...] (b) Decide on the destination to be given to objects or products of the crime and, if requested, consider returning it to the requesting State, so that the latter can compensate the victims or restore them to their rightful owners.

3. How is the eligibility of victims determined to receive compensation or restitution? What criteria are used?

There are no specific criteria used to determine the eligibility of victims but, of course the civil law standards are applicable.

From the Portuguese perspectiva we should consider that restitution (article 186, no. 2 Criminal procedural Code) and compensation (article 130 Criminal Code) are different concepts. If possible restitution (of the proper assets) should always prevail. If someone steals the watch I inherited from my father and that watch is seized in another country, what I want is the watch, not the value corresponding to it (it was the watch form my father and for me it has no value at all). If the State in question sells the watch and gives me its value again, it will be victimizing me for the second time. In these cases, advance sales should not be possible.

4. What is the process for victims to request compensation or restitution?

The victims have to require compensation or restitution in the criminal proceedings (article 71 Criminal Procedural Code). It is the so called adhesion process (*processo di adesione*). Only in certain cases (article 72) may the victim require compensation in the civil proceedings.

In certain special cases, when the victim's particular protection requirements impose it, the court may grant civil compensation even if there is no request (article 82-A criminal procedural code).

5. What are the main challenges that victims face in receiving compensation or restitution in cases of cross-border confiscation?

The main challenges are:

- Ease and speed in the international dissipation of assets through the use of international electronic payment methods, especially when we are aware of organized criminal activities. In most cases it is no longer possible to recover anything;

- Slowness of cooperation processes and, sometimes, lack of coordinated transnational action;

- Differences between the different legal systems, which do not always attach the same importance to restitution and compensation for victims of crime;

6. Which entities or organizations are responsible for assessing and processing victims' claims for compensation or restitution?

The only entity that are responsible for assessing and processing victims' claims for compensation or restitution are the courts.

In the early stages of the proceedings also the police can assess and process the victim's claims and provide for restitution of the assets, but never in international cases.

7. How are conflicts of law or legal complications that may arise during the process of cross-border compensation or restitution managed?

We think that they are managed in a case by case approach. The new cooperation is based on direct contact between the judiciary authorities and so there is no instance or body dealing, in a centralized way, with the conflicts or complications that can arise.

8. Have there been cases where victims have struggled to obtain justice due to linguistic, cultural, or legal barriers? How were these handled?

There is no information about that, but we guess that can easily happen.

9. What measures are in place to ensure that victims are informed of their rights and the process for claiming compensation or restitution in cross-border confiscation?

In the proceedings the victim has to be informed about his/her rights and about the proceedings for claiming compensation or restitution.

10. What is the success rate of cross-border compensation or restitution claims for victims in your country?

There are no data available.

11. Are there any initiatives or future plans to enhance the rights of victims to compensation and restitution in cross-border contexts?

As far as we know there are no initiatives.

12. What procedures are in place to identify and protect the rights of third parties before the seizure or confiscation of an asset?

Theoretically before seizing a third party's assets the public prosecutor should assess if he/she acted in bona fides and so the asset is or isn't subject to confiscation.

When the assets are real estate, cars, boats or planes seizure must be registered (article 178, no. 11, Criminal procedural code). So, if the person in which name the asset is registered is different from the person we think is his owner, the judge or the public prosecutor has to notify him or her (article 178, no. 11, Criminal procedural code). Analogously, the same must be done whenever the Public Prosecutor's Office is aware that an asset not subject to registration is the property of a third party. However, there is no legal obligation to do so

The third parties should also be notified to appear in court during the trial and have the right to be there and defend their rights ((article 347-A, Criminal procedural code).

13. How is the claims process handled by third parties who believe they have legitimate rights to seized or confiscated assets?

In cases where a seizure is at stake (article 178 of the Code of Criminal Procedure), the third party may invoke their status as a third party and good faith before the judge of freedoms and request the delivery of the seized property. If the judge does not grant your request, you can always appeal this decision.

If it is a freezing (i.e. of legal assets, necessary to pay the confiscation amount), which can only be decreed upon prior court order (article 228 Criminal procedural Code, article 10 Law 5/2002), the third party may appeal that decision or file third-party embargoes.

14. Are there specific mechanisms to ensure that third parties are promptly informed of the seizure or confiscation of assets that may concern them?

See answer no. 12.

15. What appeal rights are available to third parties who are dissatisfied with decisions regarding seized or confiscated assets?

Third parties can always appeal the decisions made against them.

During the proceedings they also have the right to deduct third party embargoes

16. Have there been cases where the rights of third parties have been recognized after the confiscation of the asset? What was the procedure followed to return the asset or compensate the third party?

There are no such kind of data.

If the rights of the third party are recognized before the decision is final there will be no problem. The asset (or the correspondent value) will be given back to him/her.

If the rights of the third party are recognized after the decision is final there will be a problem. The Supremo court has ruled several times that the case cannot be reopened when only the rights of third parties are at stake. For the Supreme Court, against what the doctrine says, the reopening of the process is only for penalties and confiscation is not, among us, considered as a penalty

17. Do authorities in your country promote the social reuse of confiscated assets to support services and programs specifically aimed at women affected by crime? Can you provide examples of such initiatives?

So far there is no special program designed to compensate women affected by crime.

18. Do you have any proposals for the harmonization of EU MS legislation on the victims' rights to compensation and restitution and third parties' rights?

The relationship between confiscation and the rights of victims are not well clarified. In Portugal the rights of the victim have always prevailed over confiscation (article 130 Criminal Code). The situation is worst when there are bona fides third parties. In certain way we can say that they are also victims (in a broad sense). But it's not always so. In some systems, confiscation prevailed over the rights of victims.



Since confiscation also aims to protect a property order in accordance with the law, this must take into account the rights of victims and also third parties. In Portugal, the Civil Code regulates the rights of third parties purchasing goods subject to registration following a non domino sale (article 291): they are protected if they registered the assets before the registration of the annulment action, as long as that action is not proposed and registered within three years after the conclusion of the null transaction. If the assets are not subject to registration this protection does not exist.

We don't know what it is like in other Member States, but the rules should be the same.

So harmonized European legislation should consider the differences between restitution and compensation, the bona fides third parties rights, the priority of confiscation, the rules regarding the interaction between confiscation and bankruptcy, etc.

19. Could you provide us with potential guidelines regarding the victims' rights to compensation and restitution and third parties' rights?

Since a third party in good faith can also be a victim (for example, unknowingly buying a stolen car), the rules must be clear.

20. Do you have any further reform proposals, at a national or international level, concerning the victims' rights to compensation and restitution and third parties' rights?

No.

21. Do you have any further policy recommendations, at a national or international level, concerning the victims' rights to compensation and restitution and third parties' rights?

No.

22. Does the approach outlined in the new [Directive \(EU\) 2024/1260](#) on "asset recovery and confiscation" effectively address the rights of victims, particularly regarding compensation and restitution? If not, what gaps or challenges do you foresee, and how could they be addressed?

It is a first step. But as said before more can be done.