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How to put confiscated criminal assets to good use?

Motion for a resolution

tabled by the Committee on Legal Affairs and Human Rights

This motion has not been discussed in the Assembly and commits only those who have signed it

In [Resolution 2218 \(2018\)](#), the Parliamentary Assembly invited all member States to facilitate the confiscation of criminal assets, by allowing for non-conviction based confiscation and the reversal of the burden of proof, with appropriate safeguards.

The report under preparation by the Committee on Legal Affairs and Human Rights on “New challenges in the fight against organised crime and money laundering – the need to improve international co-operation” details the staggering amounts of illegal funds laundered through certain channels.

The authors of a recent motion on “Follow-up to the Azerbaijani Laundromat investigation” suggested that “the profit that Danske Bank has made by being an instrument in the Laundromat, must be channeled to the Azerbaijani civil society with an aim to address corruption, promote human rights and democracy in Azerbaijan.”

The international community has been developing mechanisms intended to achieve similar aims for some time. The 2003 UN Convention Against Corruption (UNCAC), in particular, includes a Chapter on asset recovery establishing that “the return of assets pursuant to this chapter is a fundamental principle of this Convention”. In 2007 was launched the Stolen Asset Recovery Initiative (StAR), a partnership between the World Bank and the United Nations Office on Drugs and Crime to prevent the laundering of the proceeds of corruption and to facilitate more systematic and timely return of stolen assets. In December 2017, the United Kingdom and the United States, with the support of StAR, co-hosted a Global Forum on Asset Recovery (GFAR). The GFAR adopted “Principles for Disposition and Transfer of Confiscated Stolen Assets in Corruption Cases”.

The Assembly should examine these issues in order to recommend appropriate action ensuring that confiscated criminal assets are put to the best possible use, to repair some of the damage done to society by crime.

