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Tracking the proceeds of the crime denounced by Sergei Magnitsky and holding its perpetrators accountable

Amendment¹ No. 4

Mr Ivan RAČAN, Croatia, Socialists, Democrats and Greens Group

In the draft resolution, before paragraph 15, insert the following paragraph:

"The Assembly urgently calls on the Swiss authorities to:

1. refreeze the assets of all three account holders (Denis Katsyv, Vladlen Stepanov and Dmitry Klyuev) and recalculate confiscation amounts in accordance with the Federal Supreme Court's "arrêt de principe" of 5 December 2025;
2. explore all available legal avenues, including mutual legal assistance, to trace and recover funds that have already left Switzerland; and
3. sign and ratify the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198) and, once adopted and opened for signature, its Additional Protocol; and bring Swiss confiscation law and practice into line with modern asset-recovery standards, including the effective use of extended confiscation, non-conviction-based confiscation and confiscation from third parties, as shortcomings in this area were laid bare in the handling of the proceeds linked to the Magnitsky Case.

Explanatory note

PACE calls on Switzerland to: refreeze and recalculate for all three holders; recover funds that left the country; and ratify the Warsaw Convention (CETS 198), which it has neither signed nor ratified, to address confiscation framework gaps exposed by this case.

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