

## Confiscation and Provisional Measures

**Countries should, in dealing with predicate offences, including money laundering (ML), terrorism financing (TF) and other offences:**

- > Adopt measures, including legislative measures, like the Vienna Convention (VC), Palermo Convention (PC) and Terrorist Financing Convention (TF) to enable authorities to freeze or seize and confiscate the following, without prejudicing the rights of bona fide third parties:**
  - ✓ property laundered;**
  - ✓ proceeds from or instrumentalities used in or intended for use in committing the offences;**
  - ✓ property that is the proceeds of, used in or intended or allocated for use in TF, terrorist acts or terrorist organisations;**  
or
  - ✓ property of corresponding value.**

- > Ensure characteristics of such measures include the ability to (a) identify, trace and evaluate such property, (b) apply provisional measures to prevent further dealing, transfer or disposal of property, (c) prevent actions that could prejudice their ability to freeze, seize or recover property, (d) take appropriate investigative measures and (e) in line with principles of domestic law, confiscate proceeds or instrumentalities without requiring a criminal conviction or for the offender to demonstrate the lawful origin of the property alleged to be liable to confiscation.
- > And when dealing with property subject to confiscation, establish mechanisms that are (1) authoritative and (2) allow competent authorities to effectively manage and, when necessary, dispose of property that has been subject to the provisional measures of freezing, seizure or confiscation and (3) applicable in both domestic and at the request of foreign proceedings.