

Council of Europe

Additional Protocol on Asset Recovery

A MODERN SOLUTION TO RECOVERING CRIMINAL ASSETS

Overview

The Additional Protocol to the Council of Europe Convention on Laundering, Search, Seizure, and Confiscation of Proceeds from Crime and the Financing of Terrorism (CETS no. 232) was adopted on 15 May 2026 and opened for signature on 14 October 2026. It aims to strengthen and modernise asset recovery processes across Europe by improving identification, tracing, evaluation, freezing, seizure, confiscation, and management of property obtained through criminal conduct.



Why is this Protocol important?

Criminal groups are increasingly using sophisticated technologies, cryptocurrencies, shell companies, and complex transnational structures to launder and hide illicit assets. The Protocol equips authorities with new tools to act early, preserve the value of assets and co-operate across borders. It also helps bring national legislation up to date with evolving international standards.



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CENTRALISED ACCOUNT REGISTRIES

- Set up by each Party of a central, automated mechanism, or an equally effective and timely one, to identify who holds bank, payment and securities accounts, safe-deposit boxes and virtual asset accounts, together with their beneficial owners and anyone authorised to act for the account holder.

RAPID ACCESS MECHANISMS

- Quick, effective access to account information and expanded access for Financial Intelligence Units (FIUs) and Asset Recovery Offices (AROs) subject to data protection safeguards.

ASSET RECOVERY OFFICES (AROS)

- Mandatory establishment/designation to identify and trace property and facilitate cross-border co-operation; empowered to take urgent provisional measures in certain situations.
- Immediate and direct access to key public registers, including real estate, companies, vehicles, aircraft, watercraft and beneficial ownership.

INVESTIGATIVE POWERS

- Extends production, seizure, and monitoring orders to all financial institutions and Virtual Asset Service Providers (VASPs).
- Access to customer due diligence and record-keeping data.

FINANCIAL INVESTIGATIONS

- Conducted at all stages, even post-conviction, with flexible organisational models and multidisciplinary teams.

EVALUATE AND FREEZE ASSETS



FINANCIAL INTELLIGENCE UNITS (FIUs) POWERS

- Power to suspend suspicious transactions, accounts, and business relationships, with appropriate safeguards in place.

PROVISIONAL MEASURES

- Swift urgent actions to prevent dissipation of illicit assets, subject to due process and proportionality.

CONFISCATE AND MANAGE ASSETS



CONFISCATION

- Extended confiscation beyond assets linked to specific offences.
- Non-conviction-based confiscation (NCBC), including cases where criminal proceedings are discontinued.
- Confiscation from third parties, with safeguards for persons acting in good faith.

ASSET MANAGEMENT

- Ensures cost-effective management, preservation, and assessment of the value of seized assets.
- Pre-confiscation sale enabled before final decisions for perishable or depreciating property or when needed to reduce costs or preserve the property's value.
- Encourages reuse of confiscated proceeds for public benefit (e.g., rehabilitation centres).

RETURN VALUE TO SOCIETY



TRANSFORMING CRIMINAL PROCEEDS INTO PUBLIC GOOD

- This Protocol not only disrupts criminal enterprise - it helps convert seized and confiscated assets into resources that benefit society.

IMPLEMENTATION AND ENTRY INTO FORCE

- Monitored by the Conference of the Parties of the Warsaw Convention, with rules for entry into force requiring 5 ratifications, including at least 3 Council of Europe member states.

SAFEGUARDS AND SUPPORT

- Robust protections for human rights, fair trial, and property rights.
- Effective remedies, notification requirements, and secure information exchanges.
- Adequate training, resources, and monitoring by a Conference of the Parties (CoP).

INTERNATIONAL COOPERATION

- Extensive cooperation for the execution of confiscation and provisional measures, as well as for investigative assistance.
- Use of standardised forms to facilitate faster, harmonised action.
- Joint Investigation Teams (JITs) to collaborate across borders on asset recovery.
- Prioritises return and sharing of recovered property among Parties, with options for victims' compensation.

For more information:

<https://www.coe.int/en/web/cop198>