

# “Let crime pay” Principle

## Explanatory Note

### The “let crime pay” principle

The IACA *Work Programmes 2014 – 2016*<sup>1</sup> and *2017 – 2020*<sup>2</sup>, unanimously adopted by the Assembly of Parties at its second and sixth session, respectively, refer to *Strategic Objectives Four* and “plus 1” on “*Ensuring Financial Ownership and Participation, Stability and Sustainability*” regarding alternative sources of financing the Organization, including through respective contributions to IACA’s general budget.

Against this backdrop and notwithstanding the fact that contributions by Parties are voluntary, Parties have been invited to consider foreseeing **alternative ways of fundraising**, including by proposing possible modalities for drawing funds on the basis of the “let crime pay” principle, notably to pledge and contribute “[...] a percentage of the money or of the corresponding value of proceeds of crime or property confiscated [...].”

### References to the “let crime pay” principle in UN documents (UNCAC)

The “let crime pay” principle is also exemplified in Article 62.2.(c) of the United Nations Convention against Corruption (UNCAC). Thereby, “*States Parties may [...] give special consideration, in accordance with their domestic law and the provisions of this Convention, to contributing [...] a percentage of the money or of the corresponding value of proceeds of crime or property confiscated in accordance with the provisions of this Convention.*”

### Application

In June 2018, the Principality of Liechtenstein was the first IACA Party to make a voluntary contribution (CHF 100,000) to IACA’s general budget in application of the “let crime pay” principle. The funds came from a trans-national bribery case, decided and sentenced by an Austrian court and further executed and enforced by a court decision in Liechtenstein.

The Principality of Liechtenstein highlighted that the contribution was guided by the call by IACA’s Assembly of Parties for alternative sources of financing.

The contribution supports IACA’s operations and activities, especially with a view to implementing its *Work Programme 2017 – 2020*; it lays down also a *best practice* marker for the case-specific application of the “let crime pay” principle.

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<sup>1</sup> Resolution AoP2-Res-1 on the *Work Programme 2014 – 2016 and Budget 2014* sequ., adopted on 11.12.2013.

<sup>2</sup> Resolution AoP6-Res-1 on the *IACA Work Programme 2017 – 2020*, adopted on 03.12.2017.