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**Peculiarities of Development of Foreign Criminal Law
in Countering Usage of Funds Obtained
through Illegal Drug Trafficking**

This article is devoted to the peculiarities of the historical development of the criminal law aimed at the countering the laundering money obtained from illegal drug trafficking and other types of criminal activity.

Fighting legalization of funds acquired from criminal activity is an important tool in countering the international organized crime. This issue arose first in 70s of the XX Century along with the increase of illegal drug trafficking in the world. Later on the money obtained from the other types of criminal activity were covered by law. Historically every country had its own way of development of the legislation concerning money laundering counteraction that was imprinted in specific norms of law and practical approaches with the

aim of solving this problem. In this sense it is very interesting and useful to conduct comparison of the similar rules of law in order to reveal the genesis and development of the rules of law, to investigate the approaches which had been used by national scientist in elaboration of the norm, to define the differences between the equal by their nature norms, their strong and weak sides.

Considering historical development of the foreign criminal law on the use of the proceeds, acquired from the illegal drug trafficking we may conclude the following. In the US Criminal Law there are no separate articles (sections) providing criminal liability for the money laundering obtained from the certain criminal activity like illegal drug trafficking. Realizing the multiplicity of organized crime activities the US lawmakers for 50 years developed the law in such way that it provides criminal liability for the use of the proceeds for continuing criminal activity regardless of kind of criminal activity through that the money were obtained and regardless whether a defendant knows or is aware of the type of crime (over 250 types of predicate crimes). In United Kingdom law enforcements may freeze (seize) cash and non-cash assets on the ground of their «suspiciousness». In this case investigation moves from the money and criminal life style to the detection of criminal activity. German Criminal law also has no special articles which deals only with the money obtained from the illegal drug trafficking. Like many other European countries, criminal prosecution of the money laundering in Germany is unified regardless of the type of the predicate crime.

Criminal legislation of the former Soviet republics concerning prosecution of the money laundering in general is based on the provisions of CIS Model Criminal Code and contingently may be divided in two groups: countries with unified criminal norms providing criminal liability for laundering money obtained from any type of crime and those countries which besides the general norm also have (had) special norms providing criminal liability for laundering money acquired from illegal drug trafficking. This kind of legislation is typical for Ukraine and was actual for Azerbaijan before 2006 when it was changed following MONEYVAL recommendations.

Keywords: criminal law, money laundering, illegal drug trafficking, organized crime.