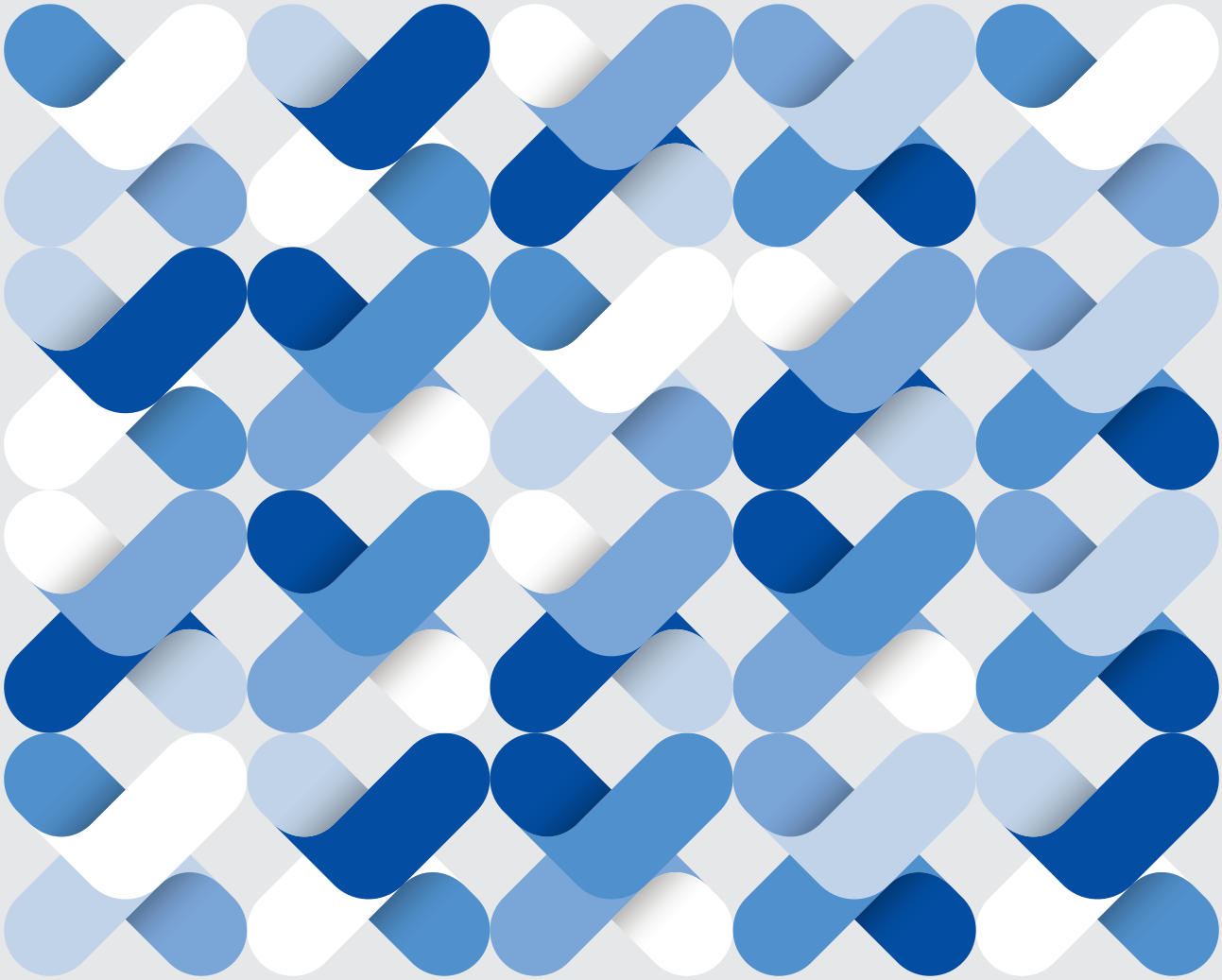
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MUTUAL LEGAL ASSISTANCE GUIDE

FRANCE



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Overview

This guide provides practical guidance on the preparation and execution of Mutual Legal Assistance (MLA) requests to France in criminal matters. It is intended to help practitioners from non-European Union (EU) countries identify relevant information and adapt it to the specific needs of each request.

It is not a standardized template.

Important Note on Early Coordination and Informal Contact

Before submitting a formal MLA request, it is considered good practice for the Requesting State to engage in early coordination. Preliminary contact can help identify the appropriate competent authorities, clarify jurisdictional links, refine investigative leads, and ensure that the scope of the request is targeted and proportionate before formal transmission.

Early coordination may take place through central authorities, cooperation networks – such as the Camden Asset Recovery Inter-Agency Network (CARIN) – and technical-support organizations, depending on the nature of the case and the assistance sought.

Type of Contact	Purpose	Examples
Central Authorities	Clarify procedural requirements, applicable legal bases, competent authorities, and formal MLA expectations	Bureau de l'entraide pénale internationale (BEPI)
Cooperation Networks	Verify information, refine leads, trace or identify assets, and facilitate informal contact	CARIN, Egmont Group of Financial Intelligence Units (FIUs), INTERPOL
Technical and Advisory Organizations	Provide expertise, training, and practical assistance in structuring or refining MLA requests, and to facilitate cross-border practitioner dialogue.	UNICRI, International Centre for Asset Recovery (ICAR), Stolen Asset Recovery Initiative (StAR)

Kindly note that these channels do not replace formal MLA procedures. They support early clarification and preparation and may improve the quality and effectiveness of the requests.

The sections below outline the legal basis, formal requirements, and practical steps relevant to MLA requests to France, providing guidance on how such requests are prepared, transmitted, and executed in practice.

I. Legal Basis for MLA Requests to France

In France, MLA requests may be submitted under the following frameworks:

- **Multilateral Conventions:** such as the United Nations Convention against Corruption (UNCAC), Article 46, or the United Nations Convention against Transnational Organized Crime (UNTOC), Article 18.[1]

Note: UNCAC applies to the prevention, investigation, and prosecution of corruption offences, including bribery, embezzlement, abuse of functions, illicit enrichment, and related asset recovery measures.

UNTOC applies to serious transnational offences involving an organized criminal group, including money laundering, and other forms of organized crime.

- **Bilateral MLA Treaties:** if in force between France and the Requesting State.[2]
- **French Domestic law:** French Code of Criminal Procedure (CPP), Articles 694 et seq. (general provisions on international mutual legal assistance) and Article 713-36 (execution in France of foreign requests for confiscation or freezing).[3]
- **Reciprocity:** in the absence of a treaty, requests may be accepted based on reciprocity, subject to dual criminality and French procedural safeguards, provided the request explicitly states this and offers assurance of mutual cooperation.[4]

Draft example (legal basis section of the MLA request):

- If both States are Parties to the UNCAC or the UNTOC:

This request is made pursuant to Article 46 of the United Nations Convention against Corruption (UNCAC), to which both France and [Requesting State] are parties, and in accordance with Articles 694 et seq. and 713-36 of the French Code of Criminal Procedure.

OR

This request is made pursuant to Article 18 of the United Nations Convention against Transnational Organized Crime (UNTOC), to which both France and [Requesting State] are parties, and in accordance with Articles 694 et seq. and 713-36 of the French Code of Criminal Procedure.

- If a bilateral or multilateral treaty exists:

This request is made in accordance with [relevant article] within [relevant bilateral/ multilateral treaty].

- If no bilateral or multilateral treaty exists:

In the absence of a bilateral or multilateral treaty, this request is made on the basis of reciprocity, pursuant to Articles 694 et seq. and 713-36 of the French Code of Criminal Procedure. We confirm our assurance of mutual cooperation.

Note: For requests involving asset freezing, confiscation, or return, the Requesting State should also cite Article 55 UNCAC in addition to Article 46, as it specifically governs cooperation for confiscation and asset recovery.

Depending on the facts of the case, MLA requests may rely on both the UNCAC and the UNTOC, in particular where corruption offences are linked to money laundering or other forms of organized criminal activity.

II. Formal Requirements for Submitting an MLA Request to France

An MLA request to France must comply with specific formal requirements in order to be accepted and efficiently processed. Key elements are outlined below:

Criminal Nature and Admissibility of Confiscation Orders

France acts on MLA requests when they relate to a criminal matter. The underlying conduct must constitute a criminal offence under both the law of the Requesting State and French law, consistent with the principle of dual criminality.[5]

If the Requesting State issues a Non-Conviction-Based Confiscation (NCBC) order, cooperation may be possible, but French law does not provide for a standalone NCBC regime. Confiscation is generally treated as a criminal measure requiring judicial oversight and a link to criminal proceedings.

However, French law includes mechanisms that broaden the scope of confiscation, in particular extended confiscation (*confiscation élargie*). Under this regime, courts may order confiscation without requiring proof of a direct link between the assets and a specific offence, where the person cannot justify the lawful origin of the assets. While distinct from true NCBC systems, this approach allows French authorities in practice to target assets of unexplained or illicit origin within criminal proceedings,[6] although it is strongly suggested that there be a factual basis to show French authorities that the assets in questions cannot be reasonably explained as coming from any legal origin.

Additionally, a further mechanism under French law that reflects a similar underlying rationale to NCBC is the non-restitution of seized assets (*non-restitution d'objets saisis*), provided for under Articles 41-4 and 99-2 of the CPP. These provisions apply where criminal proceedings are terminated without a conviction – for example, due to the death of the accused during proceedings, a discontinuance (*classement sans suite*), or a dismissal. In such cases, Article 41-4 CPP empowers the public prosecutor to order that seized assets not be returned to the person from whom they were taken, where their return would constitute a threat to public order or safety, or where the assets are of manifestly illicit origin. Article 99-2 CPP provides a parallel mechanism during the judicial investigation phase, enabling the investigating judge (*juge d'instruction*) to order the destruction or transfer to the State of assets that cannot lawfully be returned. The assets may thereby be transferred to the State rather than confiscated through a formal conviction-based order.

While this mechanism does not constitute a standalone NCBC regime and should not be presented as an equivalent substitute, it demonstrates that French law does accommodate, under specific procedural conditions, the forfeiture of assets without a final criminal conviction, and reflects the underlying logic of preventing unjust enrichment from criminal activity regardless of procedural outcome. Requesting States whose proceedings have been interrupted by events precluding conviction – most notably the death of the accused – may therefore wish to explore, in consultation with French authorities, whether these provisions could provide a basis or a point of reference for cooperation, in addition to the other mechanisms described in this section.

In practice, where a request is based on an NCBC-type order, French authorities are likely to examine factors such as:

- It originates from a judicial authority,
- It is linked to a criminal offence,
- It meets dual criminality,
- It offers procedural safeguards equivalent to those available under French criminal law.

In such cases, French authorities may seek to give effect to the request within the framework of domestic criminal law, rather than recognizing the foreign order as such. The Requesting State should therefore clearly demonstrate the factual link between the assets and criminal conduct and provide detailed information on the procedural safeguards applied.

Where a conviction and final confiscation order exist, France may enforce the MLA request following legal review, without re-examining the merits of the underlying case. [7]

Where the conviction is in absentia or the proceedings are incomplete, France may still execute the request if adequate safeguards are in place, including effective defence rights and the availability of remedies to challenge the conviction or confiscation order.[8] Any MLA request would need to show that such defence rights and availability of remedies were made available to individuals subject to confiscation orders.

Central Authority

All MLA requests should be addressed to France's central authority, the Office for International Mutual Assistance in Criminal Matters (Bureau de l'Entraide Pénale Internationale (BEPI)),[9] which operates under the Directorate of Criminal Matters and Pardons within the Ministry of Justice.[10]

Transmission Channels

When a request is made under a treaty, the transmission method specified must be followed. Most instruments, including UNCAC and UNTOC, establish central authorities as the primary channel for the transmission of MLA requests. While bilateral treaties may explicitly name the central authority, most multilateral instruments require States Parties to designate a central authority.[11] Where no treaty exists, requests must be transmitted via diplomatic channels, typically through embassies or foreign ministries.[12]

Note: Early drafts or clarifications should preferably be discussed informally before filing the MLA request.

Official Language

Requests must be submitted in French or be accompanied by an official French translation. This applies to the request itself and key supporting documents. While France's UNCAC declaration allows for requests in any UN official language, in practice French is required for execution.[13]

Note: While the Requesting State should always verify the applicable language requirements under the relevant treaty or domestic provisions before transmission to avoid delays, an official translation into French will, in practice, accelerate treatment of the MLA request.

Official Form

France does not require a standardized form for MLA requests. A formal written request on official letterhead is sufficient, provided it contains all required information. Requests are commonly made in the form of a letter rogatory and should be issued and signed by a competent authority of the Requesting State. To enhance clarity and efficiency, requests should be clearly structured and bear the issuing authority's official seal where available. Where multiple copies are submitted, it is good practice for at least one copy to bear an original signature. Notarization or legalization is not generally required, unless expressly provided for in an applicable treaty.[14]

III. Key Content Requirements

The MLA request must include the following:

Description of the Case

The request should include a clear and detailed summary of the facts under investigation, including relevant dates, locations, individuals or entities involved, and the nature of the suspected offence. The factual connection to France must be explicitly described, showing how the assets, transactions, or persons involved are linked to French territory or French financial institutions. These will allow French authorities to assess dual criminality and determine whether the requested assistance is legally admissible under French law,[15] for example, to allow French courts to assert jurisdiction over the case.

Legal Provisions

The Requesting State should clearly describe the offences under investigation, citing the relevant statutory provisions and legal definitions under its own law. French authorities assess dual criminality on the basis of the underlying conduct rather than the foreign legal classification, particularly where coercive measures are requested.[16]

For this reason, before submitting the request, it is recommended that the Requesting State reviews the relevant French offence categories to ensure that the described conduct can satisfy the dual-criminality requirement. Where the foreign offence does not have an exact equivalent under French law, the Requesting State should describe the underlying

conduct in neutral factual terms, enabling French authorities to identify the closest corresponding domestic offence.[17]

Note: Where appropriate, the Requesting State should strongly consider discussing the case with an official in the French central authority to anticipate and address potential dual-criminality issues before submitting the request.

Purpose and Object of the Request

The Requesting State should clearly indicate what measures are being sought from France, such as:[18]

- Identification of assets (bank accounts, real estate, companies in which a defendant may be a beneficial owner)
- Freezing or seizure of assets
- Gathering of evidence (bank records, property deeds, corporate documents)
- Conducting searches or seizures of evidence
- Enforcement of a foreign confiscation order
- Taking of witness statements
- Return of assets post-confiscation

If the connection to France has not yet been fully established but reasonable grounds or clear suspicions exist, the Requesting State may seek assistance to clarify specific leads, for example, identification of assets or other targeted inquiries. Such requests must present a factual basis sufficient to demonstrate necessity and must avoid overly broad or speculative requests.[19]

Note: While a single MLA request to France can include multiple investigative or provisional measures (e.g. asset tracing, provisional freezing, evidence collection), confiscation and asset return generally require a second request once a final order is obtained. Early consultation with French authorities is strongly recommended to structure MLA requests accordingly.[20]

Supporting Documentation (with certified or officially translated versions where possible)

An MLA request to France should be accompanied by supporting documentation to ensure it can be executed effectively. Attachments may include:

- **A certified copy of any freezing or confiscation order.** For provisional measures, it is recommended for the Requesting State to attach a domestic order if available or indicate that one can be issued. Where no order exists, a well-substantiated request may suffice. If the order was made by a non-judicial authority, a declaration confirming that the measure was lawfully authorized under the Requesting State's legislation should be attached.[21]

- **Evidence linking the asset to the offence**, such as bank records or company ownership documents, can reinforce the request. While not mandatory, providing such evidence strengthens the request and can be bolstered with visual graphics to aid French authorities in understanding such links.[22]
- **Copies of the relevant legal provisions from the Requesting State**, such as the penal code sections for the offences or confiscation law provisions. It is recommended to provide official or certified translations of these into French.[23]
- **Witness statements or investigator affidavits** summarizing key facts, particularly asset-related information, could also be useful.[24]

Note: Notwithstanding the above, it is generally not good practice to send an entire case file to a Requested State, as this can serve to inundate authorities with too much information. Supporting documentation should therefore be limited to materials that are necessary and relevant to the specific assistance sought.

Early Measures and Urgency

Where credible information, including that provided by a foreign authority, indicates criminal origin or facts that may constitute an offence under French law, such as money-laundering or corruption, French authorities may take provisional measures under domestic law.[25]

International cooperation networks such as INTERPOL[26] and CARIN[27] can support preliminary discussion and information exchange. Traitement du renseignement et action contre les circuits financiers clandestins (TRACFIN),[28] France's Financial Intelligence Unit, may also initiate temporary transaction freezes under anti-money laundering frameworks. Another non-coercive tracing tool is the INTERPOL Silver Notice, introduced in 2025 to help identify assets linked to corruption, fraud, or money-laundering cases. While these mechanisms do not replace formal MLA requests, they can prompt targeted tracing and follow-up through MLA or FIU channels.[29]

France may spontaneously share information about assets or criminal proceeds under UNCAC Article 56 and, in organized crime cases, under UNTOC Article 18(4).[30]
An advance copy of the MLA request can be shared with the BEPI or relevant authorities, allowing an initial assessment and, in urgent cases, pre-positioning of measures pending receipt of the formal request.[31]

Note: Early coordination with French authorities can help clarify requirements and strengthen MLA requests. Such advance communication has no legal effect. In cases involving assets at risk, urgency should be highlighted to allow French authorities to timely seek preservation or seizure orders under domestic law.[32]

IV. Execution of the MLA Request in France

MLA requests received in France are generally administered as follows:

Reception and Preliminary Review

The BEPI conducts a preliminary review to ensure the request is complete, properly translated, and complies with formal requirements.[33]

If the request is incomplete, for example, lacking a translation or legal basis, BEPI may request clarification or additional documents rather than reject it outright. Once the request is deemed in order, BEPI forwards it to the competent judicial authority.[34]

Judicial Procedure and Legal Assessment

Requests are executed under French law, often by way of an international letter rogatory (*commission rogatoire internationale*) and channelled through the competent judicial authority. Depending on the nature of the request:[35]

- A prosecutor may conduct investigative steps or preliminary inquiries and seek or obtain judicial authorization for coercive measures.
- An investigating judge is appointed only where a judicial investigation has been formally opened.

For searches, seizures, or other coercive measures, French authorities require judicial authorization or a prosecutor's order subject to judicial control. The judge assesses whether legal conditions are met, including:[36]

- Dual criminality
- Sufficient factual indications
- Respect for rights of defence and third parties

Note: French authorities do not reassess the foreign facts or re-litigate the case.[37]

Recognition, Enforcement, and Remedies

Where legal conditions are met, the competent French criminal court may recognize and order the execution of a foreign confiscation decision. Enforcement is carried out under the supervision of the public prosecutor, potentially involving the Agency for the Management and Recovery of Seized and Confiscated Assets (Agence de gestion et de recouvrement des avoirs saisis et confisqués (AGRASC)). Recognition requires that the foreign order be final and enforceable and is subject to verification that statutory conditions are met, including respect for dual criminality, due process, and the protection of bona fide third-party rights.[38]

Affected parties, including third parties with a legitimate interest, may challenge asset seizures or enforcement measures in French courts. Appeals may be based on the absence of a sufficient link to the offence, procedural irregularities, or violations of defence rights. French law guarantees access to remedies and may require additional information or assurances from the Requesting State during execution.[39]

Note: The Requesting State is strongly encouraged to maintain close communication with French authorities during the execution phase, particularly where clarifications or supplementary information may be required.

Asset Managemen

Once assets are seized, the Agency for the Management and Recovery of Seized and Confiscated Assets (AGRASC) may be appointed to manage them and typically handles:[40]

- Custody and maintenance
- Administration (e.g., holding funds in escrow)
- Disposal or pre-trial sale of assets
- Coordination of return or sharing post-confiscation

For bank account seizures under Article 706-154 CPP, the prosecutor or investigating judge may order a provisional seizure, which must be submitted within 10 days to the judge of liberties and detention for confirmation. Where the seizure is maintained, the seized funds are managed in accordance with Articles 706-159 to 706-160 CPP, including by AGRASC.[41]

Note: In urgent cases, such as the freezing of bank accounts, the Requesting State may indicate the need for prompt handling of seized funds in accordance with French law. Where judicial confirmation of the seizure is obtained, the subsequent management of the funds follows the applicable domestic procedures, including those relating to AGRASC. Making the urgency explicit in the MLA request may help facilitate timely handling and reduce administrative delays.

Follow-Up and Communication

French authorities typically respond via BEPI or liaison magistrates, and may:[42]

- Provide updates or court orders
- Request clarifications or additional information
- Expect prompt follow-up to avoid delays

Note: Engaging proactively with the designated focal point in France could improve efficiency.

V. Transmission of Evidence to the Requesting State

After execution is complete, the French judicial authority transmits the collected evidence to the Requesting State.[43]

Judicial Transmission

Evidence is transmitted under the supervision of the judicial authority that executed the request. In some cases, coordination may involve the BEPI or diplomatic channels.[44]

Upon receiving the evidence, the Requesting State should verify that everything requested is included and, if needed, request additional follow-up.

Another important aspect is the authentication of evidence. If the Requesting State requires the evidence to be certified or accompanied by an affidavit to be admissible in court, it should be specified in the MLA request.[45]

Use Restrictions

France applies the use-limitation conditions in line with UNCAC and UNTOC. Evidence may only be used for the purposes stated in the MLA request. Any secondary use, for example, in another proceeding or shared with third parties, requires France's prior consent.[46]

Note: It is advisable to specify, in the MLA request, the intended use in the request to mitigate any concerns of possible misuse.

VI. Confidentiality and Proportionality

The Requesting State may ask France to treat the MLA request confidentially, particularly where early disclosure could jeopardise an investigation, facilitate asset flight, or lead to evidence being destroyed. Measures sought must be proportionate and should not unduly affect third parties.

Proportionality and Public Order

France may refuse to execute a request if it concerns a political offence, appears politically motivated, or would infringe on its sovereignty, security, or essential national interests. Requests may also be declined where dual criminality is not met for coercive measures, where the request is disproportionate or insufficiently proven, or where execution would contravene fundamental procedural safeguards.[47]

Under French law, proportionality is a key principle governing seizure and confiscation measures, as they may interfere with constitutionally protected rights, including property rights and, in certain cases, private and family life. French authorities assess proportionality in light of the seriousness of the offence and the personal circumstances of the individual concerned. This assessment applies both at the stage of provisional measures and at the stage of confiscation.

Note: Where the assets constitute the direct proceeds or object of the offence, confiscation is considered inherently justified, and a proportionality assessment is generally not required.

To facilitate execution, the Requesting State should demonstrate that the value of the assets sought is proportionate to the gravity of the offence, the harm caused, or the illicit gain. In politically sensitive cases, it is advisable to affirm that the proceedings are bona fide and not intended for persecution or political purposes, consistent with French and international law. In practice, French authorities favour consultation or adjustment of the request before considering refusal.[48]

Confidential Handling of Requests

If the Requesting State's investigation is undercover or the suspect is unaware, it is essential to ask for confidentiality and clearly explain it is necessary.[49] In France, suspects are generally not notified during the initial processing of an MLA request. Notification occurs only at the execution stage, such as after a freezing or seizure order is issued, and may be deferred when required to preserve the effectiveness of the measure.[50]

However, once the measure is executed and the evidence is incorporated into the French criminal file, it becomes subject to ordinary disclosure rules under the Code of Criminal Procedure. Affected persons must ultimately be informed and must have the opportunity to challenge the measure, in accordance with due process guarantees. Requests for non-disclosure are therefore possible but remain subject to judicial discretion and cannot prevent later adversarial access once proceedings advance.[51]

VII. Asset Disposal and Return

Following confiscation, France may:

- Share assets – 50/50 default rule, over €10,000, in the absence of a treaty or other agreement.[52]
- Return confiscated assets directly to the Requesting State in corruption cases.[53]

The return or sharing of assets is typically arranged after the conclusion of judicial proceedings, through diplomatic or negotiated channels, with AGRASC managing the process.[54]

Note: UNCAC encourages pre-request consultations regarding the possible sharing of assets.[55]

To facilitate asset return and build trust, it is advisable for the Requesting State to include in the MLA request a brief explanation of how the returned assets would be managed or monitored. This may include victim compensation or specified public projects. It is also good practice to indicate transparency and oversight measures that would be put in place, for example, through the involvement of an independent local civil society organization.[56]

In practice, some Requested States are cautious about returning the confiscated assets to the Requesting State fearing that the funds could be misused after repatriation. Highlighting how returned assets will be handled in a transparent manner aligns with international best practices for asset recovery, can help streamline cooperation and avoid delays.[57]

Annex

I. MLA Checklist

1. Preliminary Consultation

- ☐ Identify focal point(s) in France and hold preliminary discussion about case, including intention to submit an MLA request – ask focal point for what France may need to see included in any MLA request.
- ☐ Confirm the appropriate transmission channel for the MLA request.
- ☐ Clarify formal requirements, including format, certifications, and supporting documentation.
- ☐ Confirm any specific requirements for coercive measures (e.g., freezing, seizure, searches).
- ☐ Identify any potential grounds for refusal under the Requested State's law.
- ☐ Where relevant, clarify the legal and procedural framework governing the return or disposal of assets.

2. Legal Basis

- ☐ Identify the applicable legal basis for the request (bilateral treaty, multilateral convention, or reciprocity).

3. Central Authorities

- ☐ Identify the competent central authority of the Requested State responsible for receiving MLA requests.

4. Official Language and Translations

- ☐ Confirm the language requirements of the Requested State.
- ☐ Attach required translations of the request and supporting documents where applicable.

5. Scope of Assistance Requested

- ☐ Identification of assets (bank accounts, real estate, companies)
- ☐ Investigative measures requested, such as:

  - ▶ Gathering of evidence (bank records, property deeds, corporate documents)
  - ▶ Taking of witness statements
  - ▶ Conducting searches or seizures

☐ Asset-related measures requested, such as:

- Freezing or seizure of assets
- Enforcement of a foreign confiscation order
- Return of assets following confiscation

6. Description of the Case

☐ Provide a clear, concise summary of the relevant facts of the case.
☐ Explain the link between the facts of the case and the assistance requested.

7. Offences and Legal Qualification

☐ Describe the offences in factual terms.
☐ Identify the relevant legal provisions, where appropriate.
☐ Address dual criminality requirements, where applicable.

8. Confidentiality and Proportionality

☐ Clearly state the purpose of the request.
☐ Explain why the requested measures are necessary and proportionate.
☐ Request confidential handling of the request, where necessary to protect the investigation.

9. Asset-Related Requests (if applicable)

☐ Clearly identify and, to the extent possible, locate the assets concerned.
☐ Explain the link between the assets and the offence.
☐ Indicate the status of confiscation proceedings (e.g., final confiscation order issued or pending).
☐ Include a request for asset seizure, confiscation and/or, when appropriate (if needed in a subsequent request), return of the assets.

10. Supporting Documentation

☐ Attach relevant supporting documents, such as court orders, warrants, judgments, or evidence summaries required for the execution of the request.

II. Offences Recognized by French Law, and Which are Often Linked to the Issue of Asset Recovery[58]

Corruption
Money Laundering
Fraud
Embezzlement of Public Funds / Abuse of Corporate Assets
Organized Crime / Criminal Association
Drug Trafficking
Terrorism Financing / Related Offences
Human Trafficking
Tax Fraud / Tax Evasion
Bribery of Foreign Public Officials

III. Template:

While no national template is provided, France adheres to international practice. Requesting States may use widely accepted MLA templates, such as the Basel Institute's, to ensure completeness.

It is recommended to consult the relevant central authority.

IV. Contacts:

France:

Agence de gestion et de recouvrement des avoirs saisis et confisqués (AGRASC)
amo@agrasc.gouv.fr

Ministry of Justice – Bureau de l'Entraide Pénale Internationale (BEPI)
entraide-bepi.dacg@justice.gouv.fr

Traitement du renseignement et action contre les circuits financiers clandestins (TRACFIN)
crf.france@finances.gouv.fr

Other useful contact email addresses:

Camden Asset Recovery Inter-Agency Network (CARIN)
carin@europol.europa.eu

International Centre for Asset Recovery (ICAR)
info@baselgovernance.org

INTERPOL
To contact INTERPOL, complete the form available here.

Stolen Asset Recovery Initiative (StAR)
starinitiative@worldbank.org

United Nations Interregional Crime and Justice Research Institute (UNICRI)
unicri.assetrecovery@un.org

Endnotes

1 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; United Nations Office on Drugs and Crime, United Nations Convention against Transnational Organized Crime, Palermo, 15 November 2000.

2 France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d.; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

3 France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d; France, Code de procédure pénale – Article 713-36, created by Law No. 2010-768 of 9 July 2010, Article 14, in force since 11 July 2010.

4 France allows execution of MLA based on reciprocity, even in absence of a treaty (Art. 694-1 CPP), and this is a recognized route by the French authorities themselves; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023.

5 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

6 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; United Nations Office on Drugs and Crime, Manual on International Cooperation for the Purposes of Confiscation of Proceeds of Crime, New York, September 2012.

7 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

8 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Code de procédure pénale – Article 713-37, version en vigueur du 29 janvier 2017 au 1er janvier 2029, n.d. Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

9 France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023.

10 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

11 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

12 France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d.; France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023.

13 Maud Perdriel-Vaissiere, France's Performance in International Asset Recovery: An Assessment, UNCAC Coalition, n.d.; United Nations, United Nations Convention against Corruption, New York, 31 October 2003.

14 Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

15 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023; France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d.

16 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

17 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales (Articles 694 à 694-13), n.d.; United Nations Office on Drugs and Crime, Manual on Mutual Legal Assistance and Extradition, New York, September 2012; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

18 France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d.; United Nations Office on Drugs and Crime, Manual on International Cooperation for the Purposes of Confiscation of Proceeds of Crime, New York, September 2012.

19 United Nations Office on Drugs and Crime, Manual on Mutual Legal Assistance and Extradition, New York, September 2012; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales (Articles 694 à 694-13), n.d.

20 Swiss Federal Department of Foreign Affairs – Directorate of International Law, International Centre for Asset Recovery at the Basel Institute on Governance and Stolen Asset Recovery Initiative, Guidelines for the Efficient Recovery of Stolen Assets, 2017.

21 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

22 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

23 France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d.

24 Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

25 France, Code de procédure pénale – Article 706-161, version in force since 26 June 2024, as amended by Law No. 2024-582 of 24 June 2024; France, Code de procédure pénale – Article 706-141, created by Law No. 2010-768 of 9 July 2010, Article 3, in force since 11 July 2010; France, Code de procédure pénale – Article 706-103, version in force since 19 August 2015, as amended by Law No. 2015-993 of 17 August 2015, Article 11; France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d.; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

26 International Criminal Police Organization (INTERPOL), Notices, n.d.; INTERPOL may be used to share intelligence or seek the identification of criminal assets via the National Central Bureau (NCB). The requesting State should transmit such requests through its NCB, which can liaise with INTERPOL France

27 Camden Asset Recovery Inter-Agency Network (CARIN), CARIN – the asset recovery network. n.d.

28 France, Ministry of Economy, Finance and Industrial, Energy and Digital Sovereignty, TRACFIN, Tracfin – Service de renseignement financier, n.d.; Maud Perdriel-Vaissiere, France's Performance in International Asset Recovery: An Assessment, UNCAC Coalition, n.d.

29 INTERPOL, INTERPOL Publishes First Silver Notice Targeting Criminal Assets, Lyon, France, 10 January 2025.

30 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; United Nations Office on Drugs and Crime, United Nations Convention against Transnational Organized Crime, Palermo, 15 November 2000.

31 France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

32 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021; United Nations Office on Drugs and Crime, Manual on Mutual Legal Assistance and Extradition, New York, September 2012.

33 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023.

34 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022

35 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d.

36 France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales (Articles 694 à 694-13), n.d.; Maud Perdriel-Vaissiere, France's Performance in International Asset Recovery: An Assessment, UNCAC Coalition, n.d.

37 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

38 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d.; France, Ministry of Justice, Entraide pénale internationale, published on 20 April 2023, updated on 10 May 2023; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

39 France, Code de procédure pénale – Article 694-4, created by Law No. 2004-204 of 9 March 2004, Article 17, in force since 10 March 2004; France, Code de procédure pénale – Article 713-39, created by Law No. 2010-768 of 9 July 2010, Article 14, in force since 11 July 2010; France, Code de procédure pénale – Article 713-20, version in force since 22 May 2017, as amended by Ordinance No. 2016-1636 of 1 December 2016, Article 4, and Law No. 2017-86 of 27 January 2017, Article 207; France, Code de procédure pénale – Article 713-29, created by Law No. 2010-768 of 9 July 2010, Article 14, in force since 11 July 2010; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

40 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Maud Perdriel-Vaissiere, France's Performance in International Asset Recovery: An Assessment, UNCAC Coalition, n.d.

41 France, Code de procédure pénale – Article 706-154, version in force since 30 December 2024, as amended by Ordinance No. 2024-936 of 15 October 2024, Article 23; France, Code de procédure pénale – Article 706-160, version in force since 15 June 2025, as amended by Law No. 2025-532 of 13 June 2025, Article 10; France, Code de procédure pénale – Article 706-159, created by Law No. 2010-768 of 9 July 2010, Article 4, in force since 4 February 2011.

42 United Nations Office on Drugs and Crime, Manual on Mutual Legal Assistance and Extradition, New York, September 2012.

43 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d.

44 France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales (Articles 694 à 694-13), n.d.; France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d.

45 United Nations Office on Drugs and Crime, Manual on Mutual Legal Assistance and Extradition, New York, September 2012; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

46 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; United Nations Office on Drugs and Crime, United Nations Convention against Transnational Organized Crime, Palermo, 15 November 2000.

47 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d

48 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; France, Code de procédure pénale – Livre IV, Titre X : De l'entraide judiciaire internationale, Chapitre Ier : Dispositions générales, Section 1 : Transmission et exécution des demandes d'entraide (Articles 694 à 694-4-1), n.d.

49 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; France, G8 Deauville Partnership, Guide for Asset Recovery in France, n.d,; Maud Perdriel-Vaissiere, France's Performance in International Asset Recovery: An Assessment, UNCAC Coalition, n.d.

50 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022; Jean-Pierre Brun, Anastasia Sotiropoulou, Larissa Gray, Clive Scott and Kevin M. Stephenson, Asset Recovery Handbook: A Guide for Practitioners, Second Edition, World Bank, Washington, DC, 2021.

51 France. (2023). Code of Criminal Procedure (English translation). Retrieved from https://legislationline.org/sites/default/files/2023-10/France_Code_of_criminal_procedure_EN.pdf; United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

52 France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

53 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

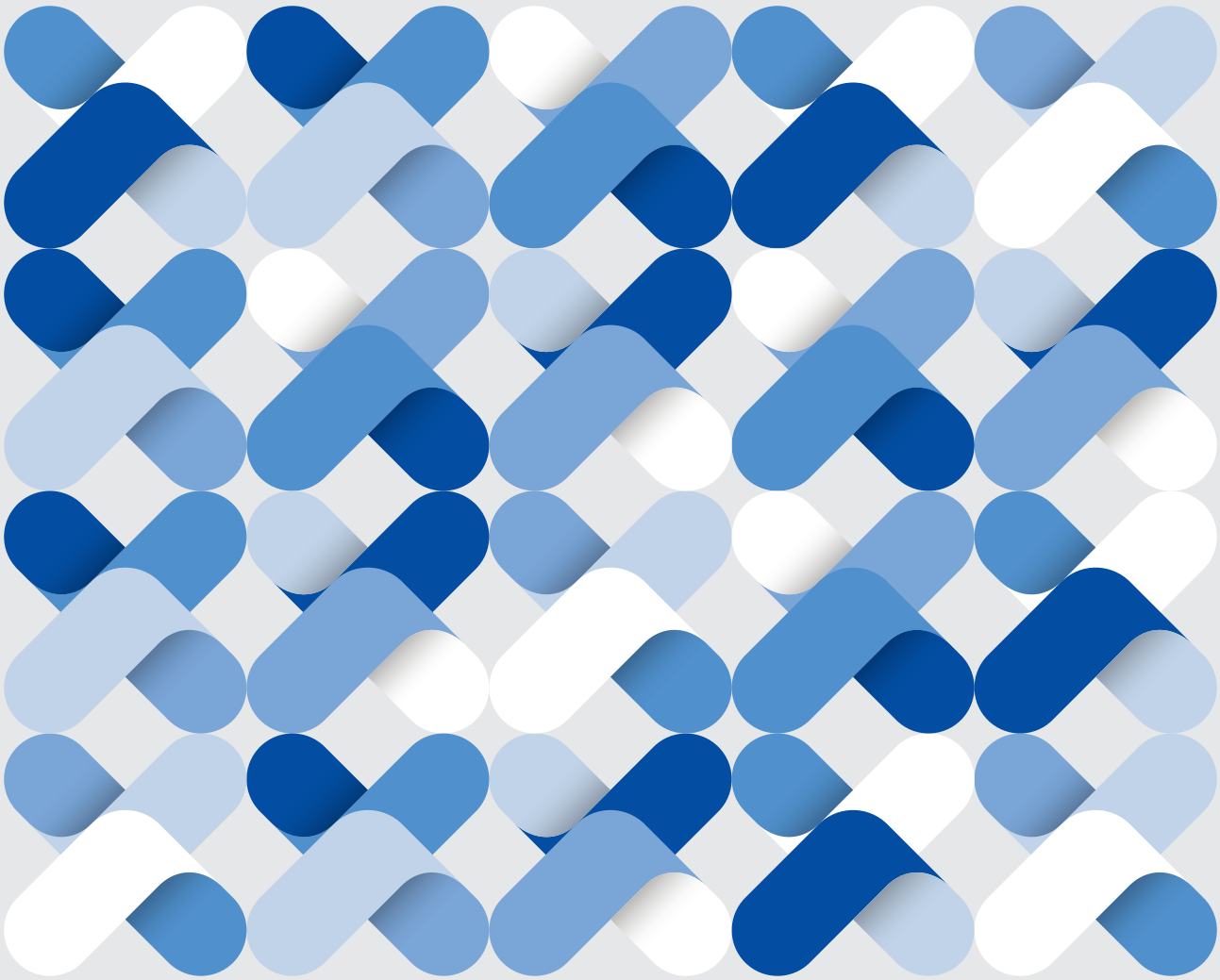
54 United Nations Office on Drugs and Crime, Manual on Mutual Legal Assistance and Extradition, New York, September 2012; France, Ministry of Justice, Guide for the Recovery of Criminal Assets in France, November 2022.

55 United Nations Office on Drugs and Crime, United Nations Convention against Corruption, New York, 2004.

56 Swiss Federal Department of Foreign Affairs – Directorate of International Law, International Centre for Asset Recovery at the Basel Institute on Governance and Stolen Asset Recovery Initiative, Guidelines for the Efficient Recovery of Stolen Assets, 2017.

57 Swiss Federal Department of Foreign Affairs – Directorate of International Law, International Centre for Asset Recovery at the Basel Institute on Governance and Stolen Asset Recovery Initiative, Guidelines for the Efficient Recovery of Stolen Assets, 2017.

58 This list may not be exhaustive; again, pre-MLA discussions should be held with French authorities or focal points for asset recovery. France, Code pénal – Article 433-1, version in force since 27 December 2020, as amended by Law No. 2020-1672 of 24 December 2020, Article 30; France, Code pénal – Livre III, Titre II, Chapitre IV : Du blanchiment, Section 1 : Du blanchiment simple et du blanchiment aggravé (Articles 324-1 à 324-6-1), n.d.; France, Code pénal – Article 313-1, version in force since 1 January 2002, as amended by Ordinance No. 2000-916 of 19 September 2000, Article 3; France, Code pénal – Livre IV, Titre III, Chapitre III, Section 8 : De l'usurpation de signes réservés à l'autorité publique (Articles 433-14 à 433-16), n.d.; France, Code pénal – Article 450-1, version in force since 15 June 2025, as amended by Law No. 2025-532 of 13 June 2025, Article 18; France, Code général des impôts – Article 1741, version in force since 15 June 2025, as amended by Law No. 2025-532 of 13 June 2025, Article 31.



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