



Media relations
P.O. Box, 9023 St. Gallen

St. Gallen, 13 June 2024

Press Release

regarding judgments B-2284/2023 of 22 May 2024 and B-3507/2022 of 4 June 2024

Ukraine: assets to remain frozen

A few weeks after Russia started its war of aggression against Ukraine, the Federal Council froze a number of accounts belonging to persons in the entourage of the former president of Ukraine, Viktor Yanukovich. The Federal Administrative Court rejects the appeals lodged against the freezing.

During the term of office (between 2010 and 2014) of Viktor Yanukovich, the former president of Ukraine, several persons in his political entourage opened bank accounts in Switzerland. When Yanukovich refused to sign an association agreement with the EU in autumn 2013, protests and civil unrest (“Euromaidan”) broke out and ultimately led to his resignation in February 2014.

Provisional freeze for purposes of international legal assistance

In the aftermath, a number of accounts were provisionally frozen both in the European Union and in Switzerland within the framework of international legal assistance proceedings in criminal matters. At the same time, the new Ukrainian government commenced criminal proceedings against the persons concerned. At the core of these proceedings are allegations of corruption, abuse of public office, and money laundering.

Freezing for purpose of confiscation by way of legal action

Relying on the «Federal Act on the Freezing and the Restitution of Illicit Assets Held by Foreign Politically Exposed Persons», the Federal Council once again froze the bank accounts after Russia's war of aggression against Ukraine broke out, this time, however, for purposes of confiscation in the event the mutual legal assistance proceedings fail. The freezing was designed to ensure that assets totalling over 100 million Swiss francs would not disappear.

In its judgments, the Federal Administrative Court (FAC) examines the statutory requirements for freezing for the purposes of confiscation. It found in particular that, in the specific proceedings and under the specific circumstances of the cases at hand, Ukraine is no longer able to satisfy the requirements for international mutual legal assistance proceedings in criminal matters. The judgments of the FAC are precautionary measures. Ownership issues were not examined and are in any event reserved for any forthcoming legal action.

These judgments may be appealed to the Federal Supreme Court.

Contact

Rocco R. Maglio

Press secretary

+41 (0)58 465 29 86

+41 (0)79 619 04 83

medien@bvger.admin.ch

About the Federal Administrative Court

Located in St. Gallen, the Federal Administrative Court (FAC) was established in 2007. With its staff of 375 employees (314.7 FTE) and its 73 judges (65 FTE) it is the largest federal court in Switzerland. The Federal Administrative Court has jurisdiction to hear appeals against decisions rendered by Swiss federal administrative authorities. In specific matters, the FAC may grant review on decisions rendered by cantonal authorities. Recourse actions are also reviewed by the Court. The FAC is composed of six divisions. It renders an average of 6,500 judgments every year.