

AGREEMENT
BETWEEN
THE GOVERNMENT OF CANADA
AND
THE SWISS CONFEDERATION
CONCERNING THE DIVISION OF CONFISCATED ASSETS AND
EQUIVALENT SUMS OF MONEY

THE GOVERNMENT OF CANADA AND THE SWISS CONFEDERATION, hereinafter called the "parties",

CONSIDERING their collaboration in the investigation of Harold Bienvenue and according to the terms of the Treaty on Mutual Assistance in Criminal Matters signed October 7, 1993, and which came into effect November 17, 1995;

CONSIDERING their wish to collaborate in the spirit of recommendations 38 and 39 of the Forty Recommendations of the Financial Action Task Force;

DESIRING to increase the effectiveness of law enforcement in both countries with respect to the investigation, criminal prosecution, and the repression of crime as well as the tracing, restraint, seizure and forfeiture or confiscation of property related to criminal activity, and

DESIRING to establish a framework for sharing of the proceeds of disposition of such property;

AGREE AS FOLLOWS:

1. The Swiss Confederation shall transfer to the Government of Canada 50% of the net proceeds to be shared, from the execution the confiscation order of April 12, 1999, issued by the investigating judge in Valais Central (Switzerland).
2. The amounts transferred under the present agreement are not subject to any conditions regarding their end use. The provisions of this agreement do not give any rights to any individual or third party.
3. The amounts payable under article 1 shall be paid in Canadian currency. Payment shall be made to the Receiver General for Canada (Proceeds Account) and sent to the Director of the Seized Property Management Directorate.