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## **ASSET FORFEITURE:** ON THE WAY TO EU INTEGRATION

The article deals with the asset forfeiture as a type of punishment, in the context of types of property that are not a subject of confiscation by court decision. The author points out that due to social and political transformation forfeiture of assets should transform as well as any other phenomenon.

The article indicates that under the conditions of globalization processes amendments to the Criminal Code of Ukraine were made, so a special confiscation as a criminal law measure was established. Thereby the so-called double-track system of criminal sanctions (penalties and criminal law measures) was introduced. However, the current changes in this direction (the appropriateness of which is vet to be determined) indicate the clear pro-European course, aimed at harmonizing national criminal legislation with EU law.

In this regard, one of the problem (and still unresolved) questions remains an outdated in its content list of assets that can't be a subject of forfeiture by court decision which can be found in the Annex to the Criminal Code of Ukraine. It is also about its inconsistency with the modern application of criminal law.

The article focuses on the fact that some of the provisions of the list of assets that can not be a subject of forfeiture are not relevant in present circumstances and does not agree with the current regulatory acts. To resolve such contradictions, amendments to the list of assets that can not be a subject of forfeiture need to be done. At the same time, current changes that have occurred in the society and in the system of current legislation should be also taken into account.

Also the author proposes to update an existing list of assets that are not a subject of forfeiture by court decision and put it in the offered edition. These summarized provisions meet the requirements of the present time and facilitate application of punishment in the form of asset forfeiture according to the specific criminal act.