

Report on Asset Recovery Casework



euclid

European Law Forum: Prevention • Investigation • Prosecution

Cornelia Riehle

News

In February 2019, Eurojust published a [report on its casework in asset recovery](#) with the following overview:

- The main legal and practical issues encountered by Eurojust in its asset recovery casework;
- The support provided by Eurojust during the asset recovery process;
- The main judicial cooperation instruments and tools used;
- The best practice identified.

It aims at assisting competent judicial authorities in the EU Member States in effectively recovering criminal assets and in contributing to the fight against transnational crime. Based on an analysis of cases addressing asset recovery issues registered at Eurojust between 1 January 2014 and 31 March 2018, the report identifies the main practical benefits of asset tracing, asset freezing and confiscation, asset disposal, and Eurojust's support.

The benefits of asset tracing include using specialised forensic accountants, taking a multi-disciplinary approach, and raising awareness about the support offered by Asset Recovery Offices and Financial Intelligence Units.

With regard to asset freezing and confiscation, the report identifies benefits such as early consultation between the authorities in the Member States, a comprehensive understanding of the E- and international legal instruments, and an understanding of the distinctions in the ultimate confiscation instrument to be applied.

In relation to asset disposal, the report recommends anticipating potential causes for delay, anticipating requirements such as provisions for compensation, and considering, if possible, the early sale of assets.

Lastly, looking at Eurojust's support, the report identifies several benefits, for instance the coordination of a joint investigative strategy and intelligence activities, the exchange of relevant information, the provision of a channel of communication, the coordination of the transmission and execution of Letters of Request, freezing and confiscation orders, and assistance with drafting these requests and orders.

AUTHOR

Cornelia Riehle

Deputy Head of Section
Academy of European Law

ISSN: 1862-6947

<https://euclid.eu>



About euclid

euclid is the leading journal which regularly informs about current developments in European criminal and "criministrative" law.

All news items are freely accessible at: <https://euclid.eu/news/>

Stay informed by emailing to euclid-subscribe@csl.mpg.de to receive alerts for new releases of issues.

The project is co-financed by the Union Anti-Fraud Programme (UAFP), managed by the European Anti-Fraud Office (OLAF).



**Co-funded by
the European Union**