

Thursday 23 November 2017

Paushuize, Utrecht University  
Kromme Nieuwegracht 49, 3512 HE Utrecht



CONFERENCE

## Confiscation of criminal assets in the European Union

Since financial gain is one of the main objectives of cross-border crime, confiscating illicit proceeds has become a key goal of contemporary criminal justice policies. For this purpose, the European Union (EU) has adopted several instruments to facilitate the cooperation between national authorities, as well as to oblige Member States to introduce effective forms of confiscation. Several problems and challenges persist. Police and judicial cooperation in targeting, seizing and confiscating criminal assets is not always efficient; furthermore, in some countries confiscation measures are scarcely applied. On the other hand, new forms of measures against 'dirty money' (e.g., non-conviction-based confiscation, third party confiscation, extended confiscation) raise serious concerns as regards the fundamental rights of interested persons, who risk being deprived of their property without a fair trial.

In the next two years, a research team coordinated by the University of Ferrara (Italy), and composed of researchers coming from Belgium, France, Germany, Italy, Romania, and the Netherlands, will investigate the implementation of the existing EU instruments in several Member States. At the end of the project, the researchers will elaborate a set of guidelines to improve such an implementation, as well as the international cooperation in confiscation proceedings.

This international conference will precede the first meeting of this project financed by the Justice Programme of the European Union. It will bring together academics, practitioners, and policy makers in order to discuss the main challenges to asset recovery, and the way forward that the EU and its Member States ought to take.



### Programme

12.30 - 13.00 Registration and coffee

13.00 – 13.15 **Introduction to the ConfiscEU project**  
*Alessandro Bernardi (University of Ferrara, Italy)*

13.15 – 13.35 **The EU action on asset recovery: from Directive 2014/42/EU to a new mutual recognition instrument**  
*Ingrid Breit (EU Commission)*

13.35 – 15.00 Session 1  
**Towards a common EU approach to confiscation: problems and challenges**  
*Chair: Michele Simonato (Utrecht University)*

Non-conviction based confiscation  
*Ciro Grandi (University of Ferrara, Italy)*

Extended and third party confiscation  
*Daniel Nitu (University Babes-Bolyai of Cluj-Napoca, Romania)*

Fundamental rights in confiscation proceedings  
*Michael Fernandez-Bertier (University Saint-Louis-Brussels, Belgium)*

Mutual recognition of confiscation orders and national differences  
*Vera Weyer (University of Bonn, Germany)*

15.00 – 15.15 Coffee break

15.15 – 17.00 Session 2  
**Cooperation in confiscation proceedings: obstacles and best practices**  
*Chair: John Vervaele (Utrecht University)*

Tracing and freezing criminal assets across borders  
*Paul Notenboom (Senior public prosecutor in Rotterdam)*

The support to cross-border investigations: Europol and CARIN  
*Marcella van Berkel (Europol Specialist Asset Recovery)*

Judicial cooperation and criminal assets: success stories and persisting barriers  
*Frank Cassidy (National member for Ireland, Eurojust)*

Defence rights in transnational confiscation proceedings  
*Thom Dieben (Defence lawyer in Amsterdam)*

17.00 End of conference and cocktail reception

The conference is free of charge, but registration is required via:  
<https://www.uu.nl/en/events/conference-confiscation-of-criminal-assets-in-the-european-union>

For more information on the conference please contact Dr Michele Simonato: [M. Simonato@uu.nl](mailto:M. Simonato@uu.nl).