

## Objective

This seminar will analyse the rules for the freezing, confiscation and recovery of assets in the EU, focusing on Directive 2014/42/EU and the state of play in relation to its provisions half a year since its transposition. It will highlight recent national experiences, how to enhance cross-border cooperation, as well as the role and responsibilities of the private sector in this area. In light of recent developments, planned actions to strengthen the tracking and freezing of terrorist financing will also be addressed.

## Key topics

- Recent EU policy on freezing, confiscation and recovery of criminal assets
- State of play and use of Directive 2014/427/EU's provisions and tools since transposition
- Major international, European and national initiatives in the freezing, confiscation and recovery of assets
- administrative and judicial best practice in freezing, confiscation and asset recovery in EU Member States
- Legal challenges and the involvement of the private sector
- Planned actions to enhance the tracking and freezing of terrorist financing

## Who should attend?

Judges, prosecutors, government officials, in-house counsel, lawyers in private practice and other stakeholders.

### Travel to Trier:

Shuttle services from Luxembourg airport to the ERA Conference Centre can be booked at special rates at: [www.finkelgruens-taxi.de](http://www.finkelgruens-taxi.de)

## Speakers

**Ramin Farinpour**, Course Director, European Criminal Law Section, ERA, Trier

**Michaël Fernandez-Bertier**, Assistant and PhD Candidate, Faculty of Law and Criminology, Catholic University of Louvain, Louvain-la-Neuve

**Joseph Delhaye\***, Senior Vice-President, Head of Legal Department, *Banque et Caisse d'Épargne de l'État* (BCEE), Luxembourg

**Dr Stefan Heißner**, Fraud Investigation & Dispute Services Leader, Ernst & Young, Düsseldorf

**Michael Hopmeier**, Judge, Kingston Crown Court, London

**Declan O'Reilly**, Legal Officer, Criminal Assets Bureau (CAB), Dublin

**Frédéric Pierson**, Specialist, Focal Point Asset Recovery, Criminal Assets Bureau, Europol, The Hague

**Dr Markus Rübenstahl**, Lawyer, Tsambikakis & Partner, Cologne

**Sebastiano Tiné\***, Policy Officer, Organised Crime Unit, Directorate-General Migration and Home Affairs, European Commission, Brussels

**Major Michele Vidoni\***, Head of International Relations Section, Guardia di Finanza, Rome

Prosecutor, Prosecutor General's Office, Madrid\*

\* invited

### For further information:

Annette Geibel  
Tel. +49 (0)651 937 37 423  
Fax. +49 (0)651 937 37 773  
E-mail: [ageibel@era.int](mailto:ageibel@era.int)

**Online registration:**  
[www.era.int/?125740&en](http://www.era.int/?125740&en)



## THE FREEZING, CONFISCATION AND RECOVERY OF ASSETS TOOLS AND CHALLENGES

**Trier, 19-20 May 2016**  
ERA Conference Centre  
Metzer Allee 4, Trier, Germany

**Organiser:**  
Ramin Farinpour, ERA

**Language:**  
English

**Event number:** 316D70

ERA is funded with support from the European Commission. This communication reflects the view only of the author, and the Commission cannot be held responsible for any use which may be made of information contained therein.



Education and Culture DG  
Erasmus+ Programme



## Thursday, 19 May 2016

- 08:30 Arrival and registration of participants
- 09:00 **Welcome and introduction**  
*Ramin Farinpour*
- I. INTERNATIONAL AND EU FRAMEWORK**  
*Chair: Ramin Farinpour*
- 09:10 **Latest developments in the international legal and policy framework – from UN and Council of Europe to OECD/FATF standards and reports**  
*Michaël Fernandez-Bertier*
- 09:45 **Establishing minimum rules and enhancing effective cross-border cooperation:**
- Directive 2014/42/EU and its use since transposition
  - Monitoring EU-wide use of confiscation and freezing orders
  - The need to better coordinate the freezing of terrorist assets
- Sebastiano Tiné*
- 10:30 Discussion
- 10:45 Coffee break
- II. NATIONAL AND CROSS-BORDER JUDICIAL CHALLENGES IN ASSET RECOVERY**  
*Chair: Michaël Fernandez-Bertier*
- 11:15 **A judge's perspective on confiscation and the recovery of proceeds of crime:**
- cross-border cooperation issues
  - non-conviction based confiscation
- Michael Hopmeier*
- 11:45 **The importance of cooperating with other actors in confiscation, asset recovery and disposal: the prosecutor's perspective**  
*Spain*

- 12:15 Discussion
- 12:45 Lunch
- 13:45 **Overcoming cross-border obstacles: the work and assistance given by Eurojust – case studies**  
*Eurojust*
- 14:15 Discussion
- 14:30 Coffee break
- III. ISSUES FACED BY LAW ENFORCEMENT AND NATIONAL ASSET RECOVERY OFFICES**  
*Chair: Ramin Farinpour*
- 15:00 **Applying anti-mafia tactics:**
- confiscation and asset recovery, including real estate
  - issues with the mutual recognition of confiscation orders
  - using confiscated assets for public or social purposes
- Michele Vidoni*
- 15:30 **The benefits of a multi-agency approach: the experiences of the Irish Criminal Assets Bureau (CAB)**  
*Declan O'Reilly*
- Enhancing cross-border and inter-agency cooperation: Europol's Criminal Assets Bureau and the Camden Asset Recovery Inter-Agency Network (CARIN) – case studies**  
*Frédéric Pierson*
- 17:30 Discussion
- 17:45 End of the first day
- 19:00 Guided tour of the city of Trier and dinner

## Friday, 20 May 2016

- IV. CHALLENGES WITHIN THE PRIVATE SECTOR**  
*Chair: Michaël Fernandez-Bertier*
- 09:00 **Issues faced by lawyers when dealing with cases of asset recovery and cross-border legal assistance: fundamental rights and proportionality concerns?**  
*Markus Rübenstahl*
- 09:30 **Auditors' role, responsibilities and challenges in relation to compliance and risk assessment**  
*Stefan Heißner*
- 10:00 Discussion
- 10:30 Coffee break
- 11:00 **Dealing with toxic assets and complying with (foreign) asset freezing, confiscation and recovery orders: a banker's perspective**  
*Joseph Delhaye*
- 11:30 Discussion
- 11:45 **Panel discussion**
- How to improve the freezing and recovery of criminal and terrorist assets within the EU?**  
*Michaël Fernandez-Bertier (chair), Declan O'Reilly, Frédéric Pierson, Markus Rübenstahl, Sebastiano Tiné, Speaker Eurojust*
- 13:00 Closing remarks
- 13:15 Light lunch and end of conference

Programme may be subject to amendment.  
For programme updates: [www.era.int](http://www.era.int)