

RECOVER
CRIME DOESN'T PAY



Co-funded by
the European Union

EU Regulation no. 1805/2018 and some cases of Tribunale di Reggio Calabria with obstacles in execution within EU borders

**Giovanni Verardi – Judge at Department of Preventive
Measures of Tribunale di Reggio Calabria**

Preventive Measures



Personal Measures



Financial Measures

The end of the proceeding
and the issue of the
execution abroad

Place of goods

Within the EU area: Regulation
(EU) 1805/2018



Outside the EU area:
International Conventions and
Bilateral Agreements



Regulation (EU) 1805/2018
of 14 November 2018:
mutual recognition of
freezing and confiscation
orders

Binding and directly application for
every Member States of the EU



infringement proceeding
(art. 258 TFEU).

Some cases of Tribunale di Reggio Calabria and obstacles in execution within the EU :

1 - Malta

- notice to the European Commission for the infringement proceeding;
- dialogue between Eurojust, Tribunale of Reggio Calabria and Authorities of Malta;
- a new certificate towards the third parties formally owners of the goods.

A second certificate
addressed to formal
owners of goods

Waiting for good
updates....!

2 – Germany and Hungary

- obstacles related to promptness of execution and good result of freezing;
- after a first EU certificate of Procura, German bank accounts were not already blocked;
- Eurojust asked to specify details of single bank account;
- waiting for updates;

Within the same execution procedure:

an Italian Company “A” transferred money to a Hungarian company “B”, that opened a bank account in Hungary. Actually, the financial operations were only referred to the Italian company “A”. Then Italian company “A” was acquired by another Italian company “C” and opened an Italian bank account without transferring money from Hungarian bank account. Following a Judge orders, Judicial Administrators sent a request to Hungarian bank, asking the credit transfer of money to the new Italian bank account. The bank in February 2023 answered that the account was not blocked and was already closed in December 2021, without giving any informations about destination of money.

The implementation of fight against illicit assets

Close cooperation to
overcome obstacles in
execution within EU:
basis of a real solidarity
between Members of
European Union.

Thank you for your attention!

RECOVER
CRIME DOESN'T PAY



Co-funded by
the European Union