

RECOVER
CRIME DOESN'T PAY



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RECOVER

**Mutual recognition of freezing and confiscation
orders between efficiency and the rule of law**

Grant Agreement No. 101091375

LITHUANIA

STATISTICS ON INCOMING AND OUTGOING FREEZING ORDERS

2021		2022	
Incoming	Outgoing	Incoming	Outgoing
95 Total	25 Total	161 Total	35 Total
81 recognised	23 recognised	156 recognised	24 recognised
14 non-recognised	2 non-recognised	5 non-recognised	1 non-recognised

Based on data from the Integrated Criminal Procedure Information System (IBPS)

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STATISTICS ON INCOMING AND OUTGOING FREEZING ORDERS 2021 (IBPS)

In 2021 the Republic of Lithuania as the issuing authority, issued 25 freezing orders, of which:

- 5 were issued to and the Kingdom of Spain and the Republic of Poland;
- 4 were issued to the Hellenic Republic and the Republic of Cyprus;
- 3 were issued to the Federal Republic of Germany;
- 1 was issued to the Republic of Italy, the Republic of Estonia, the Kingdom of the Netherlands and Hungary.

In 2021 the Republic of Lithuania as the executing authority, executed 95 freezing orders, of which:

- 29 were issued by the Federal Republic of Germany;
- 10 were issued by the Kingdom of Belgium and the Republic of Latvia;
- 6 were issued by the Republic of Italy and the Kingdom of the Netherlands;
- 5 were issued by the Kingdom of Denmark and the French Republic;
- 4 were issued by the Kingdom of Spain and the Republic of Estonia;
- 3 were issued by the Republic of Finland and the Republic of Slovenia;
- 2 were issued by the Kingdom of Sweden, the Czech Republic, the Hellenic Republic and Hungary;
- 1 was issued by the Republic of Austria and the Slovak Republic.

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STATISTICS ON OUTGOING FREEZING ORDERS 2022 (IBPS)

In 2022 the Republic of Lithuania as the issuing authority, issued 35 freezing orders, of which:

- 8 were issued to the Kingdom of Spain;
- 5 were issued to the Federal Republic of Germany;
- 3 were issued to the Republic of Latvia and the Hellenic Republic;
- 2 were issued to the Republic of Finland, the Republic of Estonia, the Kingdom of Belgium, Romania, the Portuguese Republic and the Republic of Cyprus;
- 1 was issued to the Republic of Poland, the Kingdom of Sweden, the United Kingdom of Great Britain and the Republic of Ireland.

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STATISTICS ON INCOMING FREEZING ORDERS 2022 (IBPS)

*In 2022 the Republic of Lithuania as the executing authority, **executed** 161 freezing orders, of which:*

- 32 were issued by the Federal Republic of Germany;
- 25 were issued by the Republic of Latvia;
- 20 were issued by the French Republic;
- 13 were issued by the Republic of Italy;
- 10 were issued by the Republic of Poland;
- 8 were issued by the Republic of Finland and the Kingdom of Denmark;
- 6 were issued by the Kingdom of Spain, the Kingdom of the Netherlands and the Czech Republic;
- 4 were issued by the Republic of Austria and Hungary;
- 3 were issued by the Kingdom of Belgium, the Grand Duchy of Luxembourg and the Republic of Slovenia;
- 2 were issued by the Kingdom of Sweden, Slovak Republic and the Romania;
- 1 was issued by the Republic of Croatia, the Republic of Estonia, the Hellenic Republic and the Kingdom of Belgium.

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TYPES OF CRIMES FOR ISSUING FREEZING CERTIFICATES 2021-2022

From 1 January 2021 to 31 December 2021 were the basis for issuing certificates for the following crimes:

- economic, financial – 24 cases;
- cybercrimes – 8 cases;
- disposal of narcotic substances – 1 case.

*1 certificate issued for more than one crime.

From 1 January 2022 to 31 December 2022 were the basis for issuing certificates for the following crimes:

- economic, financial – 34 cases;
- cybercrimes – 4 cases;
- disposal of narcotic substances – 2 cases.

*1 certificate issued for more than one crime.

The most common are bank account seizures.

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GROUNDS FOR REFUSAL APPLIED IN LITHUANIA

There are cases where the competent judicial authorities of the European Union still use the form set out in Council Decision 2003/577/JHA of 22 July 2003 on the execution of freezing orders against property or evidence in the European Union instead of the Regulation's freezing certificate (Annex I).

The freezing certificates received without a translation into Lithuanian, even though the Republic of Lithuania has declared that it accepts these only in Lithuanian.

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OTHER PROBLEMS REGARDING INCOMING FREEZING ORDERS

In some cases, Sections E(1) and (2) of the Regulation freezing certificate (Annex I) are incompletely filled in, and references to the relevant articles of the national law of the Member State are not always included.

Also, Member States do not tick the boxes even though it is clear from the freezing certificate that the relevant boxes should have been ticked.

There are cases where a copy of the national decision is not attached.

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COMPETENT AUTHORITIES

REG: **Competent authorities to issue a freezing certificate pursuant to Article 2(8) of the**

The Prosecutor General's Office of the Republic of Lithuania, Regional Prosecutor's Office of the Republic of Lithuania and European delegated prosecutor.

REG: **Competent authorities to execute a freezing certificate pursuant to Article 2(9) of the**

The Prosecutor General's Office and Regional Prosecutor's Office of the Republic of Lithuania and European delegated prosecutor.

REG: **Competent authorities to issue a confiscation certificate pursuant to Article 2(8) of the**

Courts of the Republic of Lithuania.

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STATISTICS ON INCOMING AND OUTGOING CONFISCATION ORDERS

2021		2022	
Incoming	Outgoinig	Incoming	Outgoing
Total 6	Total 5	Total 4	Total 1
4 Germany		2 Germany	
2 Poland		1 Estonia	
		1 Finland	

Based on information provided by National Courts Administration (data source LITEKO (Information system of Lithuanian courts))

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STATISTICS ON INCOMING AND OUTGOING CONFISCATION ORDERS

2021		2022	
Incoming	Outgoing	Incoming	Outgoing
Total 6	Total 5	Total 4	Total 1
4 monetary funds	1 monetary funds	4 monetary funds	1 value confiscation (vehicle)
2 value confiscation (vehicle)	5 value confiscation (vehicle)		

Based on information provided by National Courts Administration (data source LITEKO (Information system of Lithuanian courts))

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STATISTICS ON OUTGOING CONFISCATION ORDERS

2021-2022 Issued Confiscation Certificates in relation to offences committed:

- 2 smuggling;
- 5 violation of road traffic rules while under the influence of alcohol;
- 1 trafficking in human beings;
- 3 cyber fraud;
- 3 theft ;
- 1 tax evasion;
- 1 fraud and money laundering.

Based on information provided by National Courts Administration (data source LITEKO (Information system of Lithuanian courts))

Questions?

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