

ARO Netherlands

Workshop on “*AROs’ Activities and Pre-evaluation of the Opportunity of Mutual Recognition Procedure*”
for the RECOVER Project (GA 101091375)

19/06/2024 – Online

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- › **The procedural steps through which requests for the recognition of confiscation and freezing orders are handled by the ARO**
- › **The cooperation between judicial ARO and police ARO in The Netherlands**

The procedural steps through which requests for the recognition of confiscation and freezing orders are handled by the ARO

Netherlands:

- › **ARO Netherlands has no formal role in the recognition of freezing and confiscation orders**
- › **Judicial ARO Netherlands**
 - **advices and assists the authorities competent for the recognition of freezing (and confiscation) orders**
 - **can take over the recognition and enforcement of freezing orders in urgent and/or complex cases**
 - **provides guidelines and training on the recognition and enforcement of freezing orders**

The procedural steps through which requests for the recognition of confiscation and freezing orders are handled by the ARO

Recognition in The Netherlands:

- › **Freezing order > central authority (IRC) receives the freezing order and checks if the documents are complete and if any grounds for refusal are applicable > public prosecutor (at the IRC) decides and executes the freezing order > after freezing person concerned can appeal the freezing at the regional court**
- › **Confiscation order > central authority (CJIB) receives the confiscation order, and checks if the documents are complete and if any grounds for refusal are applicable > advises the public prosecutor (NN) on recognition > public prosecutor (NN) decides > Minister of Justice responsible for enforcement > CJIB executes the decision > person concerned can appeal the recognition at the regional court of Northern Netherlands (NN).**

The cooperation between judicial ARO and police ARO in The Netherlands

- › **Judicial ARO is part of the public prosecution service for confiscation and consists of:**
 - 5 international legal advisers
 - 1 public prosecutor
 - 1 asset tracer
- › **Within the PPS for confiscation they are part of the teams on criminal money flows which consist of specialized public prosecutors, assistants to the public prosecutors, civil law advisers, international legal advisers, forensic accountants and asset tracers.**
- › **These teams on criminal money flows are stationed at four different regional offices of the PPS for confiscation, in Zwolle, Amsterdam, Rotterdam and Den Bosch**

The cooperation between judicial ARO and police ARO in The Netherlands

- › **Police ARO is part of the Regional Police Unit of The Hague, however has a national task under Council Decision 2007/845/JHA concerning cooperation between AROs**
- › **Next to that the police ARO advises on cross border tracing of assets for freezing and confiscation via ARO and CARIN**
- › **Judicial ARO and police ARO are both part of the ARO network within the EU and part of the CARIN network**

The cooperation between judicial ARO and police ARO in The Netherlands

- › **Judicial ARO and police ARO (and the Dutch AMO) meet every six weeks to discuss our work in general or specific cases and relevant national and international developments**
- › **Also once a week a colleague of the judicial ARO works at the office of the police ARO. Next to that there is direct contact via email and phone when it concerns daily business.**

Contact information ARO Netherlands

- › **Concerning all matters on freezing and confiscation:**
Judicial ARO Just.ARO.FP@om.nl
- › **Concerning ARO requests (police-police information):**
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