

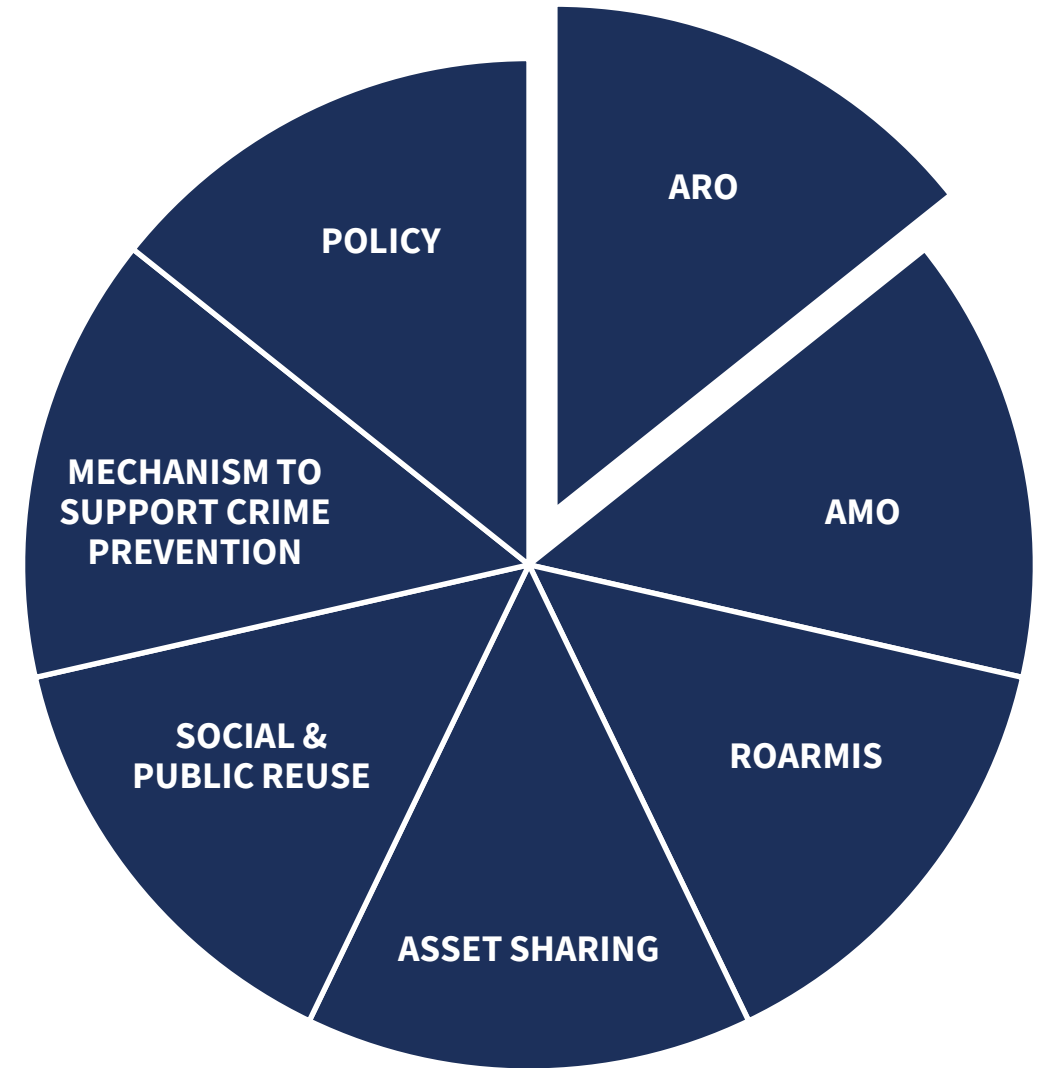
ANABI – A ONE STOP SHOP

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

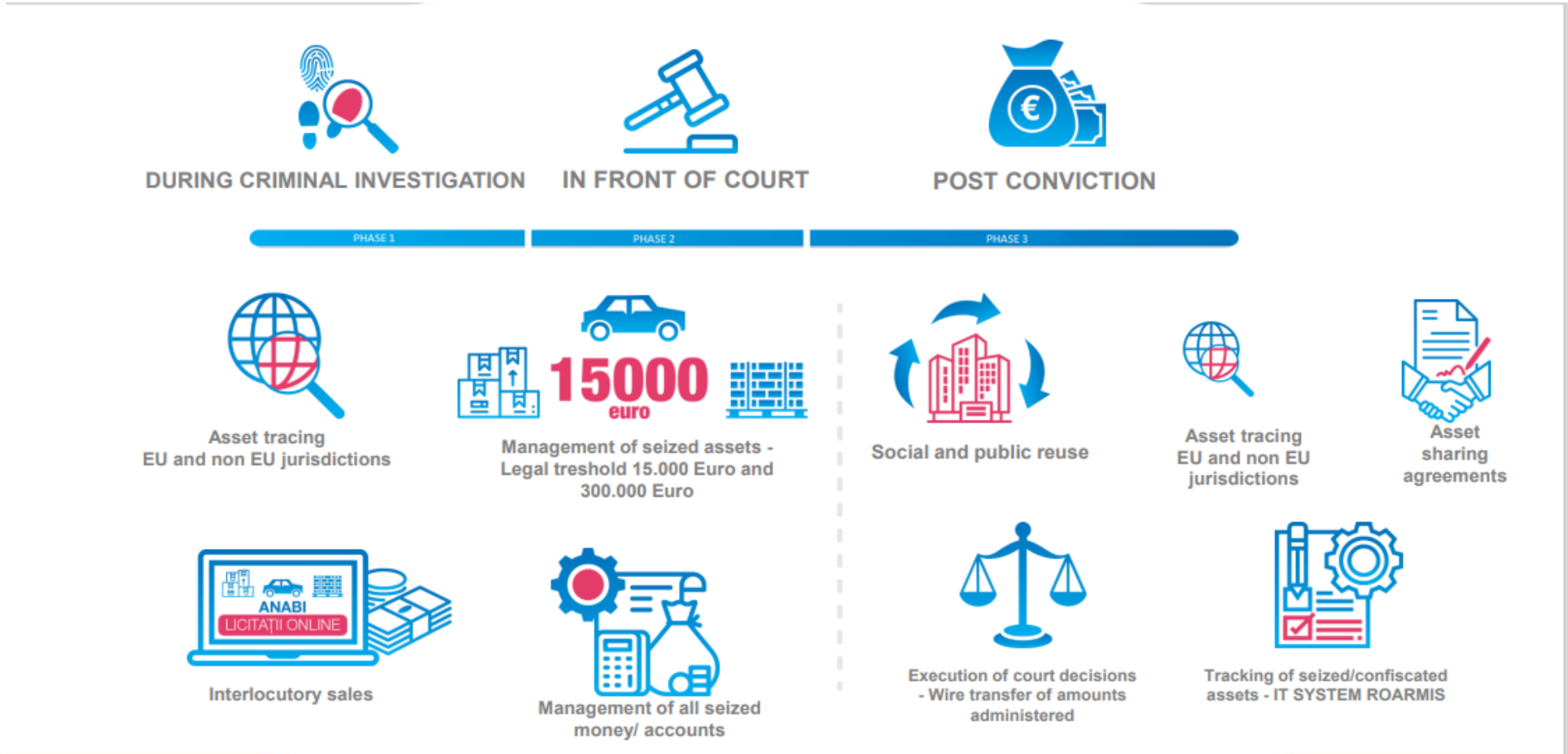
19/06/2024 – Online

Ms. Ancuta Marc (ancuta.marc@just)

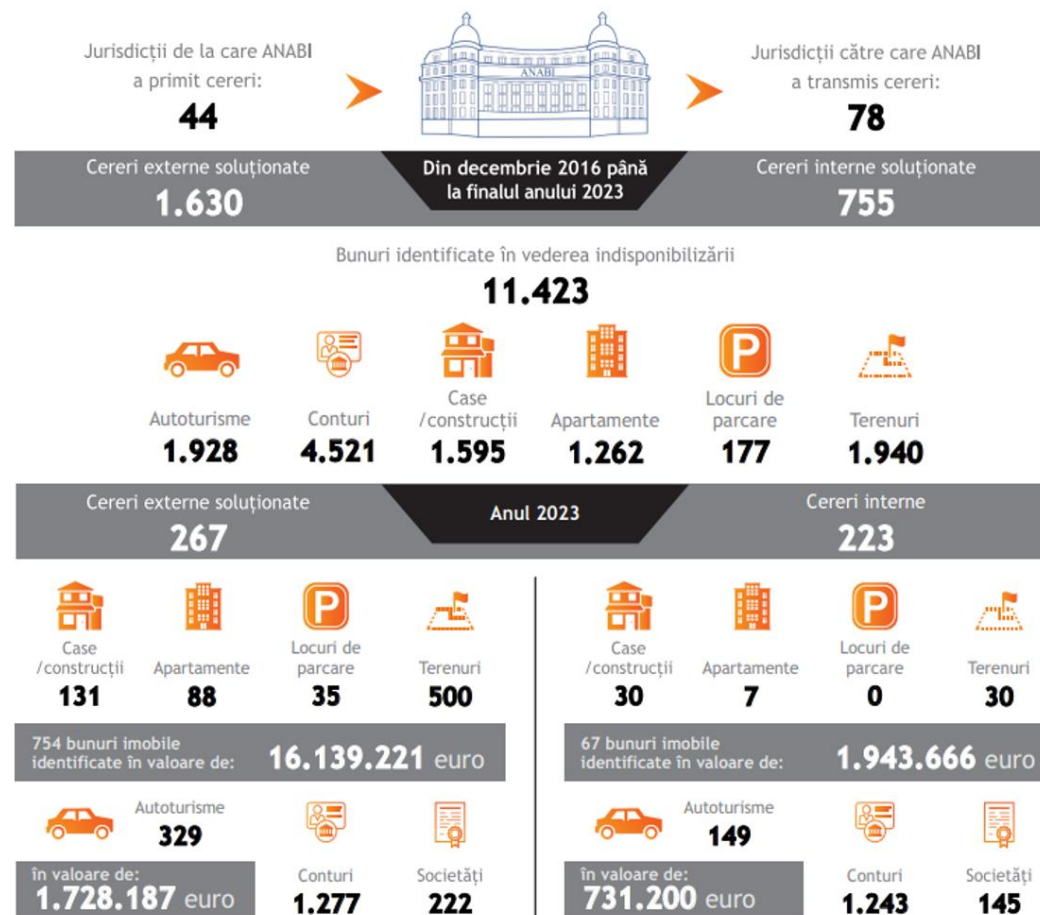
ANABI – A ONE STOP SHOP



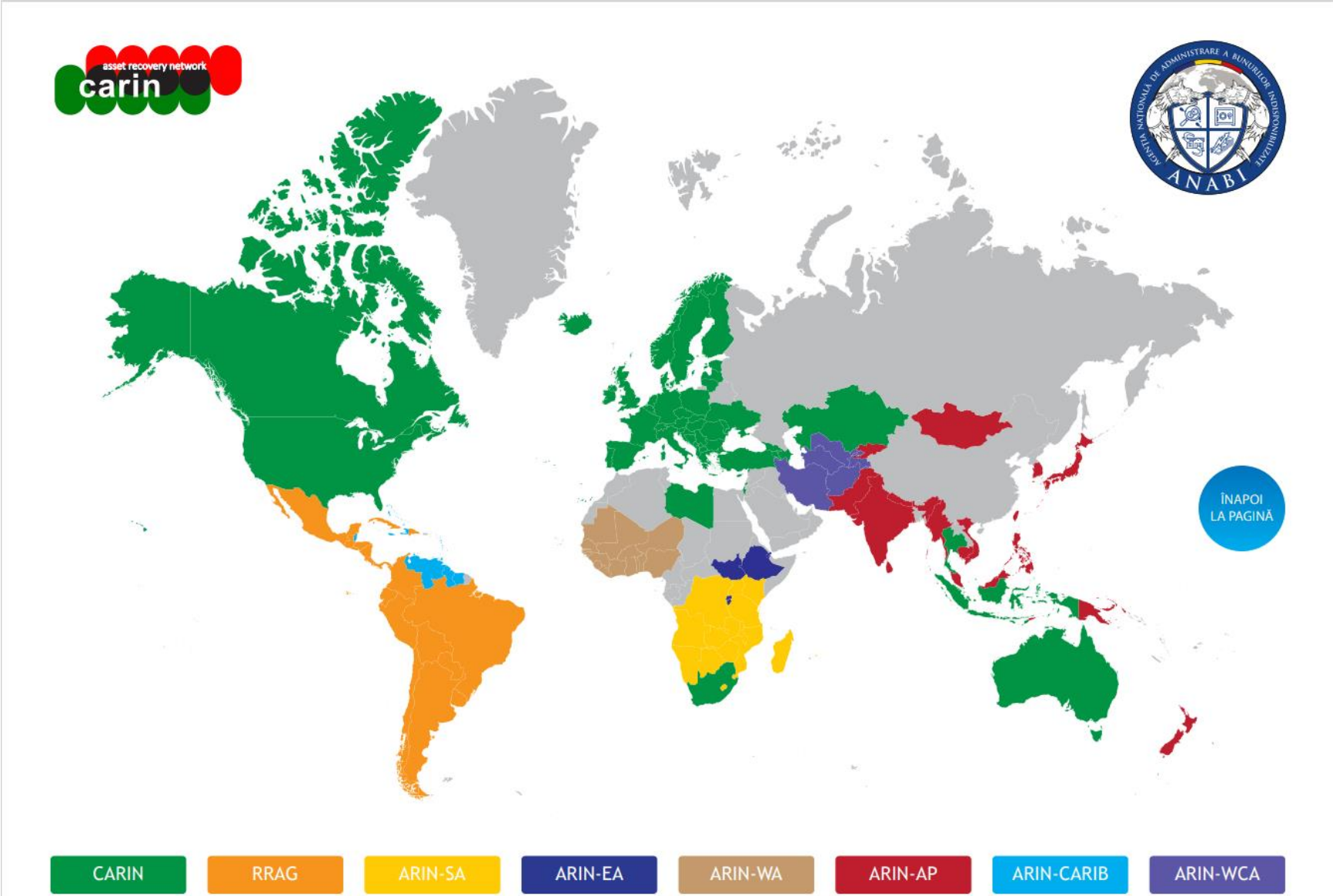
MAIN FUNCTIONS



ASSET TRACING RESULTS



CARIN & ARINs



Request for information

This CARIN information request contains information, classified as Secret and/or Confidential in the requesting and/or receiving state.

Therefore, this form (and the answer to this form) can only be sent through a secured information-exchange channel, such as I-24 (Interpol), SIENA (Europol) or in encrypted form, as described in the CARIN manual, which can be downloaded at

<https://epe.europol.europa.eu/group/carin>

Sending this form without complying to the described measures can lead to serious security risks.



1. Administrative information

Requesting authority (name, address, telephone, fax, email):	Name:	
	Address:	
	Telephone:	
	Fax:	
	Email:	
Details of requesting officer		
Receiving authority (name, address, telephone, fax, email):	Name:	
	Address:	
	Telephone:	
	Fax:	
	Email:	
Date and time of this request		
Reference number of this request		

2. Linked requests

Previous requests				
☐ This is the first request on this case.				
☐ This request follows previous requests in the same case.				
Previous request(s).		Answer(s)		
	Date	Reference number (requesting state)	Date	Reference number (in the requested Member State)
1.				
2.				
3.				
4.				



Annex B – INFORMATION EXCHANGE UNDER COUNCIL FRAMEWORK DECISION 2006/960/JHA REQUEST FORM FOR INFORMATION AND INTELLIGENCE TO BE USED BY THE REQUESTING MEMBER STATE

I – Administrative information

Requesting authority (name, address, telephone, fax, e-mail, Member State):	
Details of the handling agent (optional):	
To the following Member State:	
Date and time of this request:	
Reference number of this request:	

Previous requests				
☐ This is the first request on this case				
☐ This request follows previous requests in the same case				
Previous request(s)			Answer(s)	
	Date	Reference number (in the requesting Member State)	Date	Reference number (in the requested Member State)
1.				
2.				
3.				
4.				

If the request is sent to more than one authority in the requested Member State, please specify each of the channels used:		
☐ ENU/Europol Liaison Officer	☐ For information	☐ For execution
☐ Interpol NCB	☐ For information	☐ For execution
☐ Siema	☐ For information	☐ For execution
☐ Liaison Officer	☐ For information	☐ For execution
☐ Others (please specify)	☐ For information	☐ For execution
If the same request is sent to other Member States, please specify the other Member States and the channel used (optional)		

II – Time limits

Reminder: time limits under Article 4 of Framework Decision 2006/960/JHA

A – The offence falls under Article 2(2) of Framework Decision 2002/584/JHA

TIME LIMITS

II – Time limits

Reminder: time limits under Article 4 of Framework Decision 2006/960/JHA

A – The offence falls under Article 2(2) of Framework Decision 2002/584/JHA

and

The requested information or intelligence is held in a database directly accessible by a law enforcement authority

- The request is urgent
- Time limit: 8 hours with possibility to postpone
- The request is not urgent
- Time limit: 1 week

B – Other cases - time limit: 14 days



Purpose for which the information or intelligence is requested

Connection between the purpose for which the information or intelligence is requested and the person who is the subject of the information or intelligence

Identity(ies) (as far as known) of the person(s) being the main subject(s) of the criminal investigation or criminal intelligence operation underlying the request for information or intelligence

Reasons for believing that the information or intelligence is in the requested Member State

Restrictions on the use of information contained in this request for purposes other than those for which it has been supplied or for preventing an immediate and serious threat to public security
☐ use granted ☐ use granted, but do not mention the information provider ☐ do not use without authorization of the information provider ☐ do not use

- › **Direct access:** population register, passport register, cadastre register, company register, vehicle register, boat register, aircraft register, bank account register, fiscal data
- › **Indirect access:** beneficial ownership register, relevant information which is held by other authorities (e.g. notary registers)

NATURE OF THE EXCHANGE OF DATA AND INFORMATION



Intelligence purposes only

POWERS & STRUCTURE

- › Collects relevant statistics on freezing and confiscation at national level
- › Not a central point for incoming MLA requests relating to asset recovery
- › Multidisciplinary structure, not police or judicial
- › CARIN CONTACT POINT included
- › ARO is also AMO
- › ARO is not also FIU
- › NO DIRECT ACCESS TO SIENA

CASE STUDY

- › On ANABI's request, an ARO provided us with data on the ownership of a vehicle by the convicted persons and the conclusion of a rental contract worth €14,400 per year.
- › Subsequently, ANABI referred the matter to the enforcement court, in order to go through the procedure for the recognition of the freezing and confiscation orders in accordance with Regulation (EU) 2018/1805.
- › The Court accepted ANABI's request and initiated the procedure for the recognition of the freezing order and the confiscation order, and the requests were sent to the MS's courts. Following the recognition of the freezing order by the competent court on April 2023, the bank accounts of the convicted persons and the mentioned vehicle were frozen. The lawyer of the convicted persons lodged a request for review in the first instance, which was rejected, and an appeal to the High Court of Cassation and Justice in the second instance, which has not yet been decided.

CASE STUDY - FURTHER STEPS

- › Recognition of the confiscation order by the MS's authorities on the basis of the provisions of Regulation (EU) 2018/1805;
- › Execution of the orders in accordance with the MS's national law;
- › If assets subject to confiscation are identified, Romania and the MS will conclude an asset sharing agreement, the competence in this matter being vested, according to Law no. 318/2015, in the Minister of Justice and ANABI. According to Art. 42, ANABI is authorized to negotiate and facilitate the conclusion of bilateral agreements on the sharing of confiscated assets. With the approval of the Minister of Justice, ANABI may conclude bilateral agreements for the sharing of confiscated assets.

SHARING BEST PRACTICES

**kleptotrace**

**RECOVER**
CRIME DOESN'T PAY

Co-funded by
the European Union

data | cros

Funded by the European Union
Internal Security Fund – Police

SHARING BEST PRACTICES



- Trainings & tools for police, prosecutors and asset tracers & managers (**center + app**)
- Practice, loopholes and proposals – Regulation **1805/2018**
- Consolidated data base
 - ✓ Trace assets
 - ✓ Detect anomalies in firms' ownership structures

CONTACT



Address: 3rd Regina Elisabeta Boulevard, District 3, Bucharest, Romania



(+4) 037 257 3000



(+4) 037 227 1435



anabi@just.ro - general requests

aro@just.ro - asset tracing requests



anabi.just.ro



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[Instagram](https://www.instagram.com/just.ro)



[LinkedIn](https://www.linkedin.com/company/just.ro)



[YouTube](https://www.youtube.com/just.ro)

› **Thank you for your attention!**

› **Questions?**