

RECOVER Project (GA no. 101091375)

WP5 – Asset Recovery Office’s Activities and Management of Frozen and Confiscated assets

Questionnaire for the partners

Section 1 – Asset Recovery Offices (AROs): Structure and Activities

1. Which agencies serve as the Asset Recovery Offices (AROs) in your country? Under which government department or agency do they operate?
2. Are there any instances in your country where the Reg. (EU) 2018/1805 (hereinafter, the REG) was applied with the involvement of the ARO? Please provide examples and data if available.
3. What are the main activities undertaken by your ARO in applying the REG (e.g., asset tracing, investigative support, international coordination)?
4. What are the biggest challenges your ARO faces in the application of the Regulation, and how are these addressed?
5. What tools and databases does the ARO most commonly use when applying the REG, especially for asset tracing (e.g., accessing public records, utilizing professional services or software)?
6. How does your ARO collaborate with AROs from other EU member states in applying the REG? Please provide examples and data if available.
7. How many times has your office contacted the ARO for information or assistance in the past three years? What was the subject of your request?

8. In which areas does the ARO provide the most support to your authority? (e.g., asset tracking, legal support, international cooperation).
9. Which technologies or tools provided by the ARO do you find most useful in your activities/investigations?
10. Could you provide examples of successful cases or challenges encountered in collaborating with the ARO?
11. What legal or administrative challenges prevent effective collaboration between your authority and the ARO? Are there regulatory or bureaucratic barriers that limit effective cooperation?
12. Do you have any proposals for the harmonization of EU MS legislation on the structure and the activities of AROs?
13. Could you provide us with potential guidelines regarding the structure and the activities of AROs?
14. Do you have any further reform proposals, at a national or international level, concerning the structure and the activities of AROs?
15. Do you have any further policy recommendations, at a national or international level, concerning the structure and the activities of AROs?
16. In light of the new [Directive \(EU\) 2024/1260](#) on “asset recovery and confiscation”, do you consider the changes proposed for the functioning and composition of AROs to be effective? Please explain your reasoning and any anticipated impacts on your operations.
17. Does your organization collect data on the gender of individuals affected by asset freezing and confiscation orders? How is this information used to inform the functioning and policies of the ARO?

Section 2 – The Management and the Social Reuse of Frozen and Confiscated Assets

1. Which entities or agencies are responsible for managing frozen and confiscated assets in your country? Please provide a brief description of the activities performed by each entity or agency.
2. Can you provide statistics on the types and values of assets currently managed by authorities responsible for frozen and confiscated assets? How many of these assets result from the application of the REG?
3. How do competent authorities maintain the value of confiscated and frozen assets, especially for items requiring specific measures to prevent degradation?
4. Are there any international or interagency collaborations aimed at improving the management of assets frozen or confiscated under the REG?
5. How do competent authorities ensure transparency in the management and disposal of frozen or confiscated assets in your country? How are risks of corruption or mismanagement addressed?
6. What are the main challenges that competent authorities in your country face in managing confiscated and frozen assets, and how do they tackle them? If possible, make specific reference to goods frozen and confiscated under the REG.
7. What procedures are followed for the sale or disposal of frozen and confiscated assets? What criteria are used to decide whether to sell or reuse an asset?
8. Describe the process of selling confiscated assets. What sales methods are used (public auctions, private sales, online sales, etc.)? How is the selling price of confiscated assets determined?
9. What is the average time between the confiscation of an asset and its sale?
10. How are the proceeds from the sale of confiscated assets managed? If possible, make specific reference to goods frozen and confiscated under the REG.

11. Have there been cases where assets frozen or confiscated under the REG have been used for the benefit of the community? Could you provide some examples?
12. Are there specific procedures for transferring confiscated assets to public bodies or non-profit organizations?
13. What are the main challenges in reusing confiscated assets, and how are they addressed?
14. What types of confiscated assets are commonly allocated for social reuse (e.g., real estate, vehicles, technological goods)?
15. Which entities or organizations are involved in deciding and implementing the social reuse of confiscated assets?
16. What is the process for oversight and control to ensure that assets are used appropriately and effectively once assigned for social reuse?
17. How is the maintenance and insurance of confiscated assets managed during their use for social purposes?
18. Have there been any successful or unsuccessful cases of social reuse of confiscated assets that could provide lessons for improving future practices?
19. Considering the specific vulnerabilities of female victims in cross-border crimes, what measures are in place to ensure that women's rights to compensation and restitution are prioritized in the management of frozen and confiscated assets?
20. Do you have any proposals for the harmonization of EU MS legislation on the management and social reuse of frozen and confiscated assets?

21. Could you provide us with potential guidelines regarding the management and social reuse of frozen and confiscated assets?

22. Do you have any further reform proposals, at a national or international level, concerning the management and social reuse of frozen and confiscated assets?

23. Do you have any further policy recommendations, at a national or international level, concerning the the management and social reuse of frozen and confiscated assets?

24. Considering the provisions of the new [Directive \(EU\) 2024/1260](#) on “asset recovery and confiscation”, how effective do you find the new measures regarding the management and social reuse of confiscated assets? Are there aspects of the directive that could be improved or implemented differently?

Section 3 – Victims’ rights to compensation and restitution in cross-border confiscation and third parties’ rights

1. What national laws or regulations govern the rights of victims to compensation and restitution in cross-border confiscations?
2. Are there bilateral/multilateral agreements that your country utilizes to facilitate compensation and restitution for victims in cases of cross-border confiscation?
3. How is the eligibility of victims determined to receive compensation or restitution? What criteria are used?
4. What is the process for victims to request compensation or restitution?
5. What are the main challenges that victims face in receiving compensation or restitution in cases of cross-border confiscation?
6. Which entities or organizations are responsible for assessing and processing victims' claims for compensation or restitution?
7. How are conflicts of law or legal complications that may arise during the process of cross-border compensation or restitution managed?
8. Have there been cases where victims have struggled to obtain justice due to linguistic, cultural, or legal barriers? How were these handled?
9. What measures are in place to ensure that victims are informed of their rights and the process for claiming compensation or restitution in cross-border confiscation?
10. What is the success rate of cross-border compensation or restitution claims for victims in your country?

11. Are there any initiatives or future plans to enhance the rights of victims to compensation and restitution in cross-border contexts?
12. What procedures are in place to identify and protect the rights of third parties before the seizure or confiscation of an asset?
13. How is the claims process handled by third parties who believe they have legitimate rights to seized or confiscated assets?
14. Are there specific mechanisms to ensure that third parties are promptly informed of the seizure or confiscation of assets that may concern them?
15. What appeal rights are available to third parties who are dissatisfied with decisions regarding seized or confiscated assets?
16. Have there been cases where the rights of third parties have been recognized after the confiscation of the asset? What was the procedure followed to return the asset or compensate the third party?
17. Do authorities in your country promote the social reuse of confiscated assets to support services and programs specifically aimed at women affected by crime? Can you provide examples of such initiatives?
18. Do you have any proposals for the harmonization of EU MS legislation on the victims' rights to compensation and restitution and third parties' rights?
19. Could you provide us with potential guidelines regarding the victims' rights to compensation and restitution and third parties' rights?
20. Do you have any further reform proposals, at a national or international level, concerning the victims' rights to compensation and restitution and third parties' rights?

21. Do you have any further policy recommendations, at a national or international level, concerning the victims' rights to compensation and restitution and third parties' rights?

22. Does the approach outlined in the new [Directive \(EU\) 2024/1260](#) on “asset recovery and confiscation” effectively address the rights of victims, particularly regarding compensation and restitution? If not, what gaps or challenges do you foresee, and how could they be addressed?