



Ministry of Justice and Security

Asset Recovery Guide The Netherlands

Acronyms

ARO	Asset Recovery Office
(E)	Extended confiscation
LO	Liaison Officer
NCBC	non-conviction based confiscation
(O)	object confiscation
Sr	Criminal code of the Netherlands
Sv	Code of Criminal Procedure of the Netherlands
(W)	value confiscation
WOTS	The Enforcement of Criminal Judgments (Transfer) Act

Colophon¹



Ministry of Justice and Security

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Introduction

Most organized criminal activity is profit-driven. Criminal groups need resources to finance their activities, while criminals often move and spread their assets across different countries to avoid detection. Asset recovery in the Netherlands is an essential tool in the fight against organized crime and serves to deter criminals by taking away the financial proceeds of their illegal activities. It involves a complex and coordinated effort among various government agencies, law enforcement, and international partners to trace, freeze/seize¹ and confiscate illicitly gained assets for legitimate uses. The primary objective of this guide is to describe the asset recovery process in The Netherlands.² It provides quick access to the basic principles of the asset recovery process in the Netherlands, and points practitioners to the relevant laws and contact points for various stages of the asset recovery process.³ A list of contact addresses is included at the end. Further to those options available in international cooperation (governed by international treaties and conventions), the Netherlands possesses other (national) options to effectively recover the proceeds of crime. These are not covered by this guide.

Preventing the financial proceeds from criminal activities from remaining in the possession of the perpetrators is a fundamental principle. With this principle in mind, the Public Prosecution Service (OM) aims to confiscate ill-gotten gains in every criminal case involving a suspect. Collaborative efforts within the criminal justice system are central to the comprehensive approach. In the 'asset recovery process,' the OM cooperates, among others, with the Ministry of Justice and Security (AIRS), National Police, the Special Investigation Services (BOD), the Royal Military Police (Koninklijke Marechaussee), the Tax Authority (Belastingdienst), the Regional Information and Expertise Centers (RIEC's), the National Information and Expertise Center (LIEC), the Criminal and Unexplained Assets Information Box (ICOV), the Central Judicial Collection Agency (CJIB), the Domains/ Movable Property Service (Domeinen Roerende Zaken), and the Financial Intelligence Unit Netherlands (FIU-NL). These partners are all part of the asset recovery process in the Netherlands.

¹ For the purposes of this guide, the term 'seizing' is used. This concept is to be understood to cover both seizing and freezing orders.

² The European part of the Netherlands,

³ Asset recovery is divided into four phases in this guide: 1) asset tracing, 2) securing of assets, 3) asset management and 4) confiscation; it may also involve distribution of the assets.

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1. Tracing assets

Tracing assets in the Netherlands is a critical process used by law enforcement and investigative authorities to identify, locate, and document assets that are linked to criminal activities, have been acquired through criminal means or are linked to the suspect. Asset tracing is essential for building a strong case against individuals or organizations involved in criminal behavior and for the eventual confiscation of these assets, and in some cases to be able to compensate victims.

To gain insight into the assets and financial flows associated with lucrative criminal activities, financial investigative research is crucial, either as an initial inquiry or as part of a criminal investigation. The Dutch legislative system allows for several forms of confiscation such as value confiscation, object confiscation, extended confiscation and is currently in the process of developing a system for the confiscation of assets without a previous conviction.

Registers available to Dutch competent authorities

The following registers are available to Dutch competent authorities:

- Personal Records Database (national citizenship and population register)
- Netherlands Vehicle Registry
- Chamber of Commerce registries
- Vessels register
- Aircraft register
- Company register
- Corporate/company beneficial ownership
- National real estate, land, and cadastral register
- Police database
- National bank registry (after judicial order) (ID-information)
- FIU Suspicious Transaction Register

Other registers and information can be accessed after judicial authorization if duly motivated.

Support of foreign proceedings

The Netherlands can support foreign proceedings based on several multilateral agreements or bilateral agreements.

Legal bases

The Netherlands is party to the main international instruments for promoting MLA and makes regular use of them. They include, but are not limited to,

- the Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (ETS No. 198);
- the European Investigation Order and its EU Directive (2014/41/EU)
- the United Nations Convention against Transnational Organized Crime and the Protocols Thereto (UNTOC) and the United Nations Convention Against Corruption (UNCAC).

Further to these, the Netherlands has signed several bilateral Mutual Legal Assistance treaties containing among the usual provisions possibilities for cooperation concerning asset freezing and confiscation.

The national legal basis for cooperation in relation to Asset Recovery with non-EU member states is enshrined in 'The Enforcement of Criminal Judgments (Transfer) Act ('WOTS', for non-EU member states).'

How to make a request?

Competent authorities

Police requests or requests for mutual legal assistance can be sent to The Netherlands via several channels, depending on the country of origin. The proper channels of communication are set out in the multilateral or bilateral agreement that allows for cross-border cooperation. A rough distinction is made between requests originating from authorities of Member States of the European Union and from countries outside of the European Union.

Cooperation with Member States of the European Union

The competent authorities to receive requests are the (regional) International Legal Assistance Centres (IRCs) and the National Legal Assistance Centre (LIRC). The IRCs are also the point of contact for foreign authorities for either questions they have, or to address their MLA requests to. Every IRC provides contact details of its contact points on the website of the European Judicial Network (EJN), making it easy for countries which are part of the network to find them.

There are a total of twelve IRCs. Of those IRCs, the IRC FP (*IRC Functioneel Parket*) is specialized in serious fraud and complicated asset recovery and the LIRC is national/coordinating. The other 10 IRCs have regional competence. The LIRC has several specific duties. The police department of the LIRC is re-sponsible for maintaining the so-called 5 channels (Europol, Interpol, SIRENE, Foreign Foreign Liaison Officers (LOs)). The judicial side of the LIRC has amongst its responsibilities the coordination of joint investigation teams (JITs), execution of the Prüm Treaty and all cross-border surveillance. Finally, the LIRC coordinates all incoming MLAs that are not sent directly to the corresponding IRCs.

Police – police cooperation

For the purpose of asset tracing, The Netherlands has set up a Police Asset Recovery Office. The Police ARO can aid in the exchange of information to domestic and foreign authorities with a specific focus on asset tracing. The Police ARO can be contacted via email address: pol.aro.irc@politie.nl.

The conditions under which the Netherlands Police ARO can exchange information are laid down in Council Framework Decision 2006/960/JBZ, till the 12th of December 2024 and after that date in the Directive 2023/977. The ARO can provide the information that is available to them through their own police registers or any other registers which they can access, such as the land registry or the chamber of commerce. By way of a standardized form (till the 12th of December 2024), the request can be sent directly to the Netherlands Police ARO. The exchange of data takes place through the Secure Information Exchange Network Application (SIENA). The information only be used as evidence in court after further approval from a judicial authority. Such approval can be obtained through a European Investigation Order (EIO) or through mutual legal assistance.

Judicial cooperation

In addition to the police ARO, the Netherlands has a judicial ARO. They work closely together in international asset recovery investigations. The judicial ARO is part of the *Functioneel Parket* (National Public Prosecutor's office for serious fraud, environmental crime and asset confiscation). The international advisers of the judicial ARO can be contacted for questions on international cooperation for freezing/seizing and confiscation. They can be reached via e-mail: just.aro.fp@om.nl.

An employee of the police ARO and an employee of the judicial ARO participate in the CARIN network (Camden Asset Recovery Inter-Agency Network).

The asset tracing procedures following a request from a foreign counterpart follows the same procedural rules as in purely domestic proceedings. Some measures require judicial authorization.

Cooperation with non-EU Countries

A (police) request for asset tracing can be sent to Interpol or the LOs.

Requests for mutual legal assistance can be sent to the Dutch Central Authority. The Minister of Justice and Security will refer the request to the Public Prosecution Service, unless this party already considers that the request for enforcement must be refused. For example, this situation could be the case if there are imperative grounds for refusal, such as a suspicion that the imposition of the sanction was motivated by considerations of the race, religion, beliefs, nationality or political convictions of the convicted person (Section 5 of the WOTS).

Ministry of Justice and Security

Directorate General for the Administration of Justice and Law enforcement
Legal and Operation Affairs
Department Office for International Legal Assistance in Criminal Matters
Postbus 20301, 2500 EH The Hague
The Netherlands
Telephone number: 0031-70-370-7314
Fax number: 0031-70-370 794
Email: airs@minjenv.nl

Cooperation with countries within the Kingdom of The Netherlands

The Kingdom of the Netherlands is made up of 4 countries: Aruba, Curaçao, Sint Maarten, and the Netherlands. The Netherlands includes 3 public bodies located in the Caribbean Region: Bonaire, Sint Eustatius, and Saba (BES Islands).

Within European Union

IRC Carib, an IRC of the Attorney General's Office of the Dutch Caribbean, located at St. Maarten, exists in a similar manner to the IRCs described above that are part of the of European part of the Netherlands. In addition to the BES Islands, they also handle MLA-requests for St. Maarten and OM Curaçao. This IRC Carib started in May 2017. Aruba handles MLA requests on its own through the office of the Attorney General.

Outside of European Union

For MLA requests from outside of the European Union only the BES islands send MLA requests through AIRS. Aruba, St. Maarten, and Curaçao are separate countries and therefore have their own authorities. IRC Carib directly receives and registers the interregional MLA requests as well as requests from the European part of the Netherlands. For extradition requests, the central authority is AIRS. Above all, there is regular and close coordination between IRC Carib and AIRS.

IRC Carib

Parket Procureur Generaal

Internationaal Rechtshulp Centrum (IRC Carib)

P.O. Box 432, Philipsburg, Sint Maarten
Email: irc@omcarib.org
Tel.: +1 721 542 2243

Office of the Attorney General – Aruba

Rumbastraat 29, Oranjestad, Aruba
Public Prosecution Service Aruba (omaruba.com)

2. Securing assets

Seizing of assets is a critical component of asset recovery in criminal law in the Netherlands. The purpose of freezing/seizing assets is to secure criminally obtained assets for object confiscation or assets legally or illegally obtained for value confiscation. In the case of value confiscation, the basic principle is to return the person convicted of an offence to the situation before the commission of an offence. The process is carried out under strict legal procedures and with oversight from the judiciary to protect the rights of all parties involved.

In the scope of confiscation, it is important to seize objects in a timely manner. Criminal law of the Netherlands has two forms of confiscation: direct or object confiscation and value confiscation.

Liable for confiscation are all forms of proceeds, which entails any economic advantage, derived from or obtained, directly or indirectly, from criminal offences. It may consist of any property, whether corporeal or incorporeal, movable or immovable, and legal documents or instruments evidencing title to or interest in such property.

There are two forms of seizure that are important in view of confiscation:

- Seizing for the purpose of object confiscation (Section 94 Sv)
- Seizing for the purpose of value confiscation (Section 94a Sv)

Seizing for the purpose of object confiscation

Based on Section 94 Sv objects may be seized for forfeiture;

Object confiscation or forfeiture is possible regarding the following objects:

- a. objects belonging to the convicted person or which he can use wholly or partly for his own benefit, and which were obtained wholly or mainly by means of or from the proceeds of the offence;
- b. objects in respect of which the offence was committed;
- c. objects by means of which the offence was committed or prepared;
- d. objects by means of which the detection of the offence has been obstructed;
- e. objects manufactured or intended for the commission of the offence;
- f. rights in rem or personal rights in respect of the objects referred to under a through e.

An object or amount of money not owned by the party whose assets were seized may also be subjected to seizure. This is one of the forms of third-party seizure in the Dutch system. Such confiscation should be possible if the entitled party knew or reasonably should have known that there was a relationship between the object and a criminal offence, and if it cannot be established who the object or the amount of money belongs to (Section 33a, subsection 2 Sr)

If the party whose assets are seized does not relinquish the object and the Public Prosecutor wishes to return the object to the party who reasonably may be regarded as the entitled party or keep the object in custody on behalf of this entitled party, then the party whose assets are seized may submit a complaint to that effect to the court.

Only if a (in)direct connection with a specific criminal offence may be suspected or if it can be demonstrated regarding a criminal offence with or on the object that there are unlawfully obtained gains, may an object be seized based on section 33/33a Sr, 36b, 36 Sr. From the moment when it becomes apparent that the object is not in relation to a criminal offence liable to prosecution, the interest pertaining to criminal procedure will cease and the seizure needs to be lifted. The basic premise will then be that the seized object will be returned to the party whose assets are seized.

Notification of freezing/seizing

The investigating officer links the seizure into the case file, in the form of an official report. The investigating officer will also draw up a notice of seizure (Section 94, third subsection, Sv) in favor of the Public Prosecutor, also if the seizure took place on orders from and under the responsibility of the public prosecutor or the examining magistrate. The notice of seizure is not an official report.

Seizing for the purpose of value confiscation

Seizing for the purpose of value confiscation can be made to secure the right to a value confiscation order to be imposed later by the court.

In order to levy a seizing order, in all cases a separate authorization from the examining magistrate is required (Section 103 Sv); if based on an authorization from the examining magistrate a criminal financial investigation is conducted, that authorization also serves as a general authorization to levy a seizing order for the purpose of value confiscation (Section 126 subsection 3 in conjunction with Section 126b Sv).

Contrary to seizing for the purpose of object confiscation it is not necessary for a (direct or indirect) relation to exist between the object of a freezing for the purpose of value confiscation and a criminal offence. Assets obtained legally can also be seized.

Forms of seizing for the purpose of value confiscation

In criminal law, the levy of a freezing for the purpose of value confiscation, concerns a seizure for the recovery of property. It is a measure to secure the recovery of a value confiscation order.

There are different forms of seizing for the purpose of value confiscation:

- 1 Seizing for the purpose of value confiscation under the defendant / convicted person;
- 2 Seizing for the purpose of value confiscation under a third party;
- 3 Seizing for the purpose of value confiscation on objects of another party (third-party seizure).

1) Seizing for the purpose of value confiscation under the defendant / convicted person

Section 134 Sv provides that confiscation means taking or holding possession of an object in favor of the criminal prosecution, the seizing for the purpose of value confiscation is levied under the defendant / convicted person by effectively taking away the object. This is not a requirement. If the object is not taken away and the party involved is appointed as custodian, the seizure will also be deemed completed.

2) Third-party seizure for the purpose of value confiscation

Third-party seizure means that an object that belongs to the assets of the defendant is secured under a third party for future recovery from the value confiscation order to be imposed. This object may be a claim or a movable property. After all, for third-party seizure it is required that there is a legal relation between the debtor (the defendant / convicted person) and the third party (in this case the person who is in debt to the defendant / convicted person or who holds one or more of his assets.)

Objects that may be seized under a third party are:

- a. claims the defendant / convicted person has over a third party (for example, the defendant who has money in a bank account);
- b. claims the defendant / convicted person will have over third parties if these are based on legal relationships that already existed at the time of the confiscation (for example future rent from a rental agreement);
- c. movable property not subject to registration that belongs to the defendant but is held by or will be held by a third party (for example, the vehicle defendant / convicted person lent out to the third party).

Seizure under the State is a special form of third-party seizure. This concerns objects that in the scope of a criminal investigation have already been seized or confiscated (and are already 'under the State') after which in connection with the recovery in another case, a seizing order for the purpose of value confiscation is imposed on the object.

3) Seizing for the purpose of value confiscation on objects of another party (third-party seizure)

By third-party seizure, objects that belong to another party can be seized to secure recovery from the defendant / convicted person. With the proceeds from the confiscated objects the debt of the convicted person to the State will be settled.

The conditions for levying third-party seizure are:

1. there must be sufficient indications that the object wholly or partially came into the possession of the other party with the evident aim to complicate or obstruct the seizure and execution thereof; and
2. the other knew or should have reasonably suspected that the object came into his possession to frustrate recovery (requirement of knowledge).

In actual practice, in the first place this will concern objects that came to belong to the other party, meaning objects that were transferred. It is sufficient that the objects came to belong to the other party with the evident aim to frustrate the recovery from the provider and that the other party was aware of this or should have suspected this. This means that also objects that were secured to serve to recover, prior to the serious offence or the criminal offences based on being committed, may be seized for the purpose of value confiscation.

Section 94a, fourth subsection 5v provides that not only the object that came into possession of the other with the evident aim to frustrate the recovery, but also other assets of the other party may serve to recover and consequently may be confiscated in freezing for the purpose of value confiscation.

This will then be possible against no more than the value of the object that fell into possession of the other party.

Obviously, it will be preferred to seize the original object that came into the possession of the other party and that (or else the purchase amount) must originate from the defendant. However, if that original object is no longer available, for example if it has been caused to disappear, but also if the confiscation of the original object is impossible or difficult to realize, then objects that belong to the other party may serve as recovery object. In that case, the entire capital of the other party becomes—without any relation to the object in connection with the serious offence but related to the value of the originally transferred object—recovery object for the debt of the defendant / convicted person to the State. In principle, this is at the Public Prosecution Service's discretion.

Practical pointers

Specific requirements for request

Requests made to the Netherlands and documents supporting such requests in a language other than Dutch, French, English shall be accompanied by a translation into one of these languages.

In general, a request must be in writing and requires the following information:

- the requesting authority;
- a reference to the legal basis (treaty or reciprocity);
- a statement of the facts;
- the link between the facts of the case and the requested assistance;
- where possible, the identity and the nationality of the person concerned;
- a copy of the relevant legal provisions;
- a statement that an order for seizure has been given by the competent authority or would have been

- given if the objects in question were within its territory;
- a statement indicating that there are reasonable grounds for expecting that the requesting State will make a request for enforcement of a forfeiture order (object confiscation) or of a penalty for the deprivation of illegally obtained benefits (value confiscation);
- in case of a freezing for the purpose of a value confiscation order the amount of money earned by the accused/suspect by committing offences (the illegally obtained benefit);
- a translation into Dutch, English or French.

Cooperation with Member States of the European Union

Since 19 December 2020 the use of the EU Regulation 2018/1805 ensures the mutual recognition of freezing orders within the European Union. Based on article 13a of the Transfer of Sentences Act (WOTS) a criminal financial investigation can be opened on the request of a EU Member State. This request is passed on to the examining magistrate who must give written authorization to open an investigation. Once this authorization has been granted, the public prosecutor can seize assets in case of a confiscation procedure.

Cooperation with non-EU Countries

The provisions 13 -13d of the WOTS provide for the possibility to seize assets on the request of a foreign competent authority. Based on article 13a of the WOTS a criminal financial investigation can be opened. Once the examining magistrate has given a written authorization to open this investigation the public prosecutor can seize assets in case of a deprivation procedure (value-based confiscation).

Grounds for refusal

Based on the existing treaties, legal assistance is in principle provided to the widest possible extent. Assistance is provided to the extent possible as is stipulated in the applicable treaty. The grounds for refusal are also specified in the applicable MLA-treaty.

In general, when a request is received, it is assessed whether there is a mandatory or optional ground for refusal. In case of a request for coercive measures, like search or seizure, double criminality is required. But within the EU, dual criminality review is not necessary in case the offence is a so-called list offence. In case coercive measures are required, please attach relevant provisions of criminal law to the request.

The following are grounds for refusing mutual legal assistance.

- a. if there are good grounds for believing that it concerns an inquiry instituted with a view to prosecuting, punishing or otherwise interfering with an accused person because of their religion or political convictions, nationality, ethnicity or the population group to which the person belongs;
- b. in so far as it concerns a prosecution or proceedings incompatible with the principle non bis in idem;
- c. in so far as it concerns an inquiry into acts for which the accused person is being prosecuted in the Netherlands.

Further conditions

The evidence provided in the execution of a request for mutual legal assistance, or any other information shared by the national authorities of the Netherlands with the requesting authorities may only be used for the purpose for which it was requested.

3. Asset Management

Frozen and confiscated assets are managed by the Dutch Asset Management Office (AMO). This office was set up pursuant to EU Directive 2014/42. Their goal is to manage all seized and confiscated items, minimizing costs & maximize revenue, to achieve efficiency & uniformity in the entire chain.

The Asset Management Office has the power to engage in pre-judgement sales of objects in a certain set of circumstances (section 117 Sv). Those assets that are:

- Not suitable for storage;
- Whose custody costs are not in reasonable proportion to their value;
- Which are replaceable and whose equivalent value can easily be determined.

Under Dutch law, there is also the possibility of providing security by paying a certain amount of money to the public prosecutor. For example, in some cases, a seized car can be returned to the suspect / defendant after he paid an agreed amount for it.

AMO is the single point of contact for foreign authorities regarding the management of frozen and confiscated assets.

Contact Details

Asset Management Office

Email: LBA.AMO@om.nl

Tel.: +31 88 699 24 34

4. Final confiscation of assets

Various asset recovery options are available including:

- Requesting object confiscation (Article 33a of the Dutch Criminal Code (Sr))
- Requesting the deprivation of unlawfully obtained benefits (value confiscation; article 36e Sr)

In addition to these criminal asset recovery options, there is the possibility to pursue asset recovery through tax law, administrative law, and civil law. Whatever option is chosen, in principle there must be an effective government response. For the purposes of this guide, we give an overview of those criminal law options that are available in the context of international cooperation.

Objects liable to confiscation (object confiscation)

The following shall be liable to object confiscation/forfeiture:

- a. objects belonging to the convicted person or objects he can use in whole or in part for his own benefit and that have been obtained entirely or largely by means of the proceeds of the criminal offence;
- b. objects in relation to which the offence was committed;
- c. objects used to commit or prepare the offence;
- d. objects used to obstruct the investigation of the serious offence;
- e. objects manufactured or intended for committing the serious offence;
- f. rights in rem and rights in personam pertaining to objects specified in a through e.

As a result of forfeiture, the State becomes the owner of the object (Section 6:1:12 (2) Sv). The imposition of a forfeiture, does not require the objects to be seized. An object that has not been seized may also be subjected to a forfeiture order by the criminal court if that object still belongs to the defendant (forfeiture without seizure, Section 34 Sr).

An object or amount of money not owned by the party whose assets were seized may also be subject to forfeiture. This is one of the forms of third-party seizure in the Dutch system. Such confiscation should be possible if the entitled party knew or reasonably should have known that there was a relationship between the object and a criminal offence, and if it cannot be established who the object or the amount of money belongs to (Section 33a, subsection 2 Sr).

The phrase 'belongs to' indicates a legal relationship according to which an object belongs to the assets of a person. As the entitled party, the person the object belongs to may exercise rights to the object.

Value confiscation order

During the investigation, sufficient clues may emerge that the defendant, from offences he is suspected of / convicted of or from any other criminal offence (E), obtained gains of a considerable interest that can be expressed in monetary terms. For this reason, following from the criminal case, proceedings may also be launched against the defendant to confiscate unlawfully obtained proceeds.

This (value) confiscation procedure is a separate part of the criminal proceedings in which the party convicted of a criminal offence may be ordered by means of a separate judicial decision to pay a monetary amount to the State for the purpose of confiscating unlawfully obtained gains. These proceedings seek to confiscate unlawful gains obtained from criminal offences. With these proceedings, the financial situation of a perpetrator of a criminal offence will be restored to the situation he would have been in if he had not committed the criminal offence.

A condition for imposing a value confiscation order is that the defendant is (ultimately) irrevocably convicted by the criminal court.

Subject to conditions, it is also possible to confiscate objects that belong to another (third) party.

General guidelines for cooperation with Member States of the European Union

Within the EU, Regulation 2018/1805 provides in the principle of mutual recognition (subject to conditions as set out in the Regulation) the Public Prosecutor will recognize the foreign confiscation order. The involved party can oppose against this decision within 7 days after notification. In case of appeal the court in the Northern part of the Netherlands will handle this procedure. The decision of the Court is final. Once the decision is final, the Central Judicial Collection Agency (CJIB) is responsible for the execution of the confiscation order.

General guidelines for cooperation with non-EU Countries

The court will transfer the foreign confiscation order into a Dutch confiscation order. The procedure will be handled by the court during a public hearing. There is a possibility to appeal against the decision of the court. The Dutch Supreme Court will handle the appeal case. Once the decision is final, the Central Judicial Collection Agency (CJIB) is responsible for the execution of the confiscation order.

5. Use of confiscated assets

Confiscated assets to victim or state

When there is a victim in case, the confiscated assets first go to the victim as a matter of priority. If a victim cannot be established or in case there is no victim, the proceeds of confiscation go to the state.

Asset Sharing

Based on the EU-Regulation on freezing and confiscation, a standard disposal of 50-50 takes place if the proceeds exceed € 10,000. However, in case of victim restitution, compensation to the victim takes priority over confiscation and an exception can be made to the regular 50-50 allocation of confiscated assets.

In cooperation with countries outside the EU, the applicable convention is leading. Many conventions provide the possibility for countries to make mutual agreements on the disposal of confiscated property. The Minister of Justice and Security decides on this. In general, victim compensation takes priority in Dutch confiscation proceedings after which a decision is made (on a case-by-case basis) for the sharing of the assets. In this sense, as a signatory of the UN Convention on Anti-corruption The Netherlands commits itself to the return of assets to the lawful owner.

Social Reuse

The social reuse of criminal assets is currently piloted in the Netherlands. The experience that is gained by these pilots will be used to come to a formalized policy instrument. The underlying idea is to deprive criminals of their ill-obtained assets and to reuse these assets for the benefit of society, for instance through funding projects that serve the public good.

6. Contact Points

Contact information for Member States of the European Union

LIRC (National Public Prosecutor's office for (inter)nationally organized crime)

Email: LIRC-LP@om.nl

Tel.: +31 88 662 94 50

IRC FP (National Public Prosecutor's office for serious fraud, environmental crime and asset confiscation)

Email: FP.IR@om.nl

Tel: +31 88 699 24 66

- **Police ARO**

Email: pol.aro.irc@politie.nl

Tel.: + 31 88 964 82 65

- **Judicial ARO**

Email: just.aro.fp@om.nl

- **Asset Management Office**

Email: LBA.AMO@om.nl

Tel.: +31 88 699 24 34

CARIN Contact point

Via Judicial ARO: email just.aro.fp@om.nl)

Or via Police ARO: email: pol.aro.irc@politie.nl and tel.: +31 88 964 82 65.

Contact information for countries outside of the European Union

Ministry of Justice and Security

Directorate General for the Administration of Justice and Law enforcement

Legal and Operation Affairs

Department Office for International Legal Assistance in Criminal Matters

Postbus 20301, 2500 EH The Hague

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