

**Information requested from States parties based on resolution 7/2, entitled
“Preventing and combating corruption in all its forms more effectively, including when
it involves vast quantities of assets, based on a comprehensive and multidisciplinary
approach, in accordance with the Convention”**

The Romanian Ministry of Justice, as central authority in matters related to freezing and confiscation has no recent experiences or best practices to relate on the matter of criminal and civil measures and remedies to enhance international cooperation and asset recovery related to corruption that involves vast quantities of assets.

However, we can make some general comments related to experiences and best practices related to criminal measures and remedies to enhance international cooperation and asset recovery in general corruption cases.

Please note that our experience from both perspective - Issuing and Executing State the following aspects are important and a very rough expose of issues that need to be taken into account in order to ensure a successful investigation and subsequent sentence in these corruption cases:

- design an operation plan domestically where domestic measures need to be coordinated with various types of international cooperation requests that can occur in cases of asset recovery in corruption cases;
- make use of pre-MLA cooperation with the ARO offices in order to identify with clarity whether the Executing State has assets on its territory;
- carefully planning the types of cooperation requested-freezing and confiscation if combined with other measures, such as for example search, seizure provisional arrest with a view to extradition/surrender(if based on EAW);
- specifying from the outset terms and deadlines, scheduling activities and coordinating actions, if the assets are located in several states, in order to avoid the dissipation of assets
- identifying the best international instrument that can be invoked in relation with that particular Executing State and based on that the channels and means of communication that can ensure a fast and efficient communication;
- keeping an updated list of contacts with relevant counterparts that can assist in obtaining fast responses;
- clarifying from the very beginning how the assets are going to be disposed of and shared;
- in case there are corruption and money laundering offences combined, it is important to get in touch with the foreign counterpart where the money are located from the early stage of the investigation in order to avoid the creation of two different files for the same offences - parallel investigations need to be carefully planned, the competence clearly shared and the application of the *non bis of idem* principle observed.