

Subject : "UNODC – Information request for the preparation of the Working Group's 8th meeting on the return of assets, Vienna , 11-12/09/2014".

1. The Internal Affairs Service, as the central State Body that has extensive responsibilities regarding the prevention of and the combat against corruption cases where police officers and in general public officials are involved, utilizes in the extreme the legislative framework of its constitutive Law (Law 2713/1999), as amended and further complemented (Law 4249/2014). Thus, the a/m Service has been applying state-of-the-art methods and tactics at a strategic, analysis, and operational level.
2. More specifically, for the effective dealing with criminal/penal offences specified in the already ratified by virtue of Law 3666/2008 United Nations Convention against Corruption, and for the identification and the search for the relevant proceeds, during the conduct of searches the Internal Affairs Service has been using, both operational investigation methods and special examining (procedural) techniques, provided for by UNCAC Article 50 and incorporated in our Country's Legal System, that is :
 - examining infiltration (covert action) either by a police officer or any other person, by order of the Head of the Service and the relevant consent of the competent Public Prosecutor. The a/m person presents himself as a party to the illegal activities in order to unveil those involved in the criminal act and lead to their arrest (the perpetrators and the accessories) and also to gather and secure probative evidence and exhibits (Law 2713/1999 // Article 5 – paragraph 1, in combination with Criminal Procedure Code Article 253A).
 - the lifting of secrecy as regards letters, phone-calls, and other communication means (communication data and the content of discussions), following a relevant request by the Head of the Service and an order by the competent Public Prosecutor and the Judicial Council (Law 2713/1999 // Article 6, paragraph 1, in combination with the provisions of Law 2225/1994, as amended by virtue of Law 4198/2013).
 - the recording of the activities or of other events by means of audio-visual devices or other special technical means, for using them as probative material in accordance with the same procedure (Law 2713/1999 // Article 6, paragraph 4, in combination with Criminal Procedure Code Article 253A).

- the combined analysis and the correlation of persons' data and particulars, by means of the unobstructed access to the Services' files and the cessation of tax secrecy (Law 2713/99//Article 1,6).
3. Moreover, the Internal Affairs Service may lift the secrecy of bank or stock exchange accounts and also may ban the movement of money accounts or the opening of safe-deposit boxes, if there are well-founded suspicions that they contain money or articles coming from criminal offences in order for the Authorities to seize them, (Law 2713/1999 // Article 6, par. 2, 3, in combination with the provisions of Legislative Decree 1059/1971, as replaced by Law 1868/1989). It is also to be noted that our Country's legislative framework provides also for the carrying out of controlled deliveries, with the observance of presuppositions and guarantees of Law 2145/98 // Article 38.
 4. In addition, the objective of the innovation legislative provision of Law 2713/99 // Article 1. par. 4, as complemented with Article 43, par.1 of Law 4249/2014, has to do with the encouragement of the citizens who wish to make a complaint and/or provide information on corruption cases. According to the a/m Law, their anonymity is guaranteed by decision of the Head of the Service, and further, if necessary, the process relevant to the protection of persons (police officers and civilians), who make complaints related to corruption cases, is applied accordingly; the a/m process may also apply to family members, essential witnesses, experts, any victims or their relatives (Law 2713/99 // Article 5, in combination with Law 2928/2001 // Article 9).
 5. The procedure for the recovery of assets coming from criminal activities, corruption cases included, comes under the competence of the Economic and Financial Crime Body (Section D' – assets recovery – Presidential Decree 85/2005, as amended and complemented by Article 88 // Law 3842/2010). The a/m Body is the National Contact Point with the corresponding Services of EU MS, aiming both at facilitating the mutual administrative cooperation and assistance by means of prompt information and data exchange and at strengthening the mutual awareness of methods and techniques in the field of trans-border detection, blocking, seizure, and confiscation of proceeds or property assets coming from the activities in question.