

Poland:

Literature:

1. A. Bartosiewicz, R. Kubacki, *Opodatkowanie dochodów z nieujawnionych źródeł*, Przegląd Podatkowy – dodatek 2010, No. 10
2. A. Czwojda, *Przepadek korzyści majątkowej w polskim prawie karnym*, Wrocław 2018
3. A. Sakowicz, *Opinia o zmianie ustawy – Kodeks karny, ustawy - Kodeks postępowania karnego, ustawy - Kodeks karny wykonawczy oraz ustawy - Prawo prasowe (druk nr 640)*, Biuro Studiów i Ekspertyz, Warszawa 30.10.2008, (Opinion on project of amendments of Penal Code)
4. A. Spotowski, *Konfiskata mienia i przepadek rzeczy (uwagi de lege ferenda)*, Państwo i Prawo 1989, No. 3
5. B. Zygmunt, *Konfiskata mienia a przepadek korzyści majątkowych*, Prokuratura i Prawo 2001, No. 11
6. C. Kulesza, P. Starzyński, *Powrót konfiskaty mienia?*, Prokuratura i Prawo 2008, No. 3
7. E. Pływaczewski, *Wokół postulatu tzw. konfiskaty rozszerzonej (rozszerzonego przypadku mienia)*, [in:] Pohl Ł. (ed.), *Aktualne problemy prawa karnego. Księga pamiątkowa z okazji Jubileuszu 70. urodzin Profesora Andrzeja J. Szwarca*, Poznań 2009
8. G. Arzt, *Ułatwienia dowodowe przy przypadku*, [in:] E. Pływaczewski (ed.), *Proceder prania brudnych pieniędzy. Studia i materiały*, Toruń 1993
9. I. Rzeplińska, *Konfiskata mienia – powrót kary*, Państwo i Prawo 1996, No. 2
10. I. Rzeplińska, *Konfiskata mienia. Studium z historii polityki kryminalnej*, Warszawa 1997
11. I. Rzeplińska, *Polityka stosowania kary konfiskaty mienia w PRL*, Archiwum Kryminologii 1992, vol. XVIII
12. J. Karaźniewicz, *Orzekanie przypadku przedmiotów i korzyści majątkowej osiągniętej z popełnionego przestępstwa z postępowaniu karnym*, [in:] E. M. Guzik-Makaruk (ed.), *Przepadki przedmiotów i korzyści pochodzących z przestępstwa*, Warszawa 2012
13. J. Kluza, *Krytyczna analiza nowelizacji dotyczącej konfiskaty rozszerzonej – omówienie zmian w obrębie kodeksu karnego i kodeksu postępowania karnego*, Zeszyty Naukowe Towarzystwa Doktorantów Uniwersytetu Jagiellońskiego, Nauki Społeczne 2017, No. 2 (17)
14. J. Kluza, *Procesowe aspekty orzekania konfiskaty rozszerzonej*, Studia Prawne i Administracyjne 2018, No. 1
15. J. Kochanowski, *Opinia dotycząca nowelizacji przepisów kodeksu karnego określających przepadek przedmiotów i korzyści majątkowych (druk 869)*, Biuro Studiów i Ekspertyz 17.01.2003
16. J. Raglewski, [in:] M. Melezini (ed.), *System Prawa Karnego*, Vol. 6, Warszawa 2016
17. J. Raglewski, *Materialnoprawna regulacja przypadku w polskim prawie karnym*, Kraków 2005

18. J. Wawrzyniak-Zaczyńska, *Konstrukcja podmiotu obowiązującego do zwrotu korzyści majątkowej w świetle przepisów ustawy z 23.03.2017 r. o zmianie ustawy Kodeks karny i innych ustaw*, Palestra 2018, No. 1–2
19. J. Zagrodnik, [in:] K. Marszał, J. Zagrodnik, *Proces karny*, Warszawa 2017
20. J. P. Rui, U. Sieber, *Non-Conviction-Based Confiscation in Europe. Bringing the Picture Together*, [in:] J.P. Rui, U. Sieber, *Non-Conviction-Based Confiscation in Europe*, Berlin 2015
21. K. Laskowska, *Kara konfiskaty mienia w kodeksie karnym z 1969 r. i w projekcie nowego kodeksu*, Prokuratura i Prawo 1996, No. 11
22. K. Polit, *Przepadek korzyści majątkowych pochodzących z przestępstwa – odwrócony ciężar dowodu*, Prokuratura i Prawo 2005, No. 7-8
23. K. Trybek, *Konfiskata rozszerzona mienia pochodzącego z przestępstwa w prawie polskim oraz unijnym*, Warszawa 2020
24. L. Tyszkiewicz, *Opinia dotycząca projektu nowelizacji art. 44 i 45 k.k. zlecona przez Podkomisję Nadzwyczajną d/s nowelizacji kodeksu karnego Sejmu z dnia 10.12.2002*, Biuro Studiów i Ekspertyz, 16.12.2002 (Opinion on project of amendments of Penal Code)
25. M. Florczak-Wątor, [in:] P. Tuleja (ed.) *Commentary to Polish Constitution*, LEX/el. 2021, art. 46
26. M. Korzeniak, M. Szurman, *Domniemanie przestępnego pochodzenia mienia (jurydyczne ukształtowanie art. 45 § 2 k.k.)*, Czasopismo Prawa Karnego i Nauk Penalnych 2019, No. 1
27. M. Kowalewska-Łukuć, *Konfiskata rozszerzona oraz przepadek przedsiębiorstwa – kilka refleksji po roku obowiązywania znowelizowanych przepisów Kodeksu karnego*, Palestra 2019, No. 9
28. M. Serafin, *Vermögenabschöpfung – zwischen Effektivität und Rechtsstaatlichkeit. Ein deutsch-polnischer Rechtsvergleich*, Berlin 2019
29. M. Siwek, *Opinia prawna dotycząca zmian w kodyfikacjach karnych w zakresie przypadku korzyści majątkowych*, Biuro Studiów i Ekspertyz, Lublin 18.12.2002, (Opinion on project of amendments of Penal Code)
30. M. Siwek, *Przepadek w polskim prawie karnym*, Kraków 2004
31. M. Warchoł, *Konfiskata in rem w świetle rozwiązań prawnoporównawczych*, [in:] *Konfiskata in rem. Nowoczesna metoda zwalczania przestępczości zorganizowanej*, Warszawa 2021
32. P. Sarnecki, [in:] L. Garlicki, M. Zubek (ed.), *Commentary to Polish Constitution*, Warsaw 2016, art. 46
33. R. Stefański, [in:] R. Stefański (ed.), *Commentary to Penal Code*, Warszawa 2020, Article 45a
34. T. Sroka, [in:] M. Safjan, L. Bosek (ed.) *Commentary to Polish Constitution*, Warszawa 2016, art. 46
35. V. Konarska-Wrzosek, J. Lachowski, *Instytucja przypadku w polskim prawie karnym*, Lex/el. 2020, Chapter I unit 4
36. W. Wróbel, *Opinia w sprawie zgodności z Konstytucją RP poselskiego projektu ustawy o zmianie ustawy - Kodeks karny, ustawy - Kodeks karny skarbowy, ustawy - Kodeks postępowania karnego, ustawy - Kodeks karny wykonawczy oraz ustawy - Prawo*

prasowe wraz z autopoprawką (druki 640 i 640-A), Biuro Studiów i Ekspertyz, Kraków 8.12.2009, (Opinion on project of amendments of Penal Code)

37. Z. Sienkiewicz, *Uwagi o regulacji przypadku przedmiotu przestępstwa i konfiskacie mienia w projekcie kodeksu karnego*, [in:] Z. Sienkiewicz (ed.), *Wybrane zagadnienia reformy prawa karnego*, Wrocław 1997
38. Z. Sienkiewicz, *Uwagi o zmianie przepisu art. 45 k.k.*, Nowa Kodyfikacja Prawa Karnego 2001, Vol. 8
39. Z. Sienkiewicz, *Zamiast konfiskaty mienia*, Nowa Kodyfikacja Prawa Karnego 1999, Vol. 4

Commentaries on judgements:

1. P. Pietrasz, *Opodatkowanie dochodów osiągniętych nielegalnie*, Glosa August 2001

Judgements:

1. Judgment of European Court of Human Rights from 1.06.2007 in case 30810/03, *Geerings v. the Netherlands*
2. Judgment of European Court of Human Rights from 12.08.2015 in case No. 36862/05, *Gogitidze and Others v. Georgia*
3. Judgement of European Court of Justice from 9.02.1995, case No. 17440/90, *Welch v. the United Kingdom*
4. Judgement of Court of Justice of the European Union from 21.10.2021 in joined cases C-845/19 and C-863/19
5. Judgment of Supreme Court from 17.05.1972, III KR 67/72 (OSNKW 1972/10/157)
6. Judgement of Supreme Court from 23.05.2013 (IV KK 56/13)
7. Judgement of Supreme Court from 24.08.2016 (V KK 33/16)
8. Judgement of Supreme Court from 12.04.2017 (V KK 387/16)
9. Judgement of Supreme Court from 31.10.2017 (V KK 189/17)
10. Judgement of Supreme Court from 21.02.2019 (IV KK 486/17)
11. Order of Supreme Court from 21.05.2004 (I KZP 6/04, OSNKW 2004/5/49)
12. Judgement of Constitutional Tribunal from 6.10.1998 (K 36/97, OTK 1998/5/65)
13. Judgement of Constitutional Tribunal from 17.04.2000 (SK 28/99, OTK 2000/3/88)
14. Judgement of Constitutional Tribunal from 29.06.2005 (SK 34/04, OTK-A 2005/6/69)
15. Judgement of Constitutional Tribunal from 4.09.2007 (P 43/06, OTK-A 2007/8/95)
16. Judgement of Constitutional Tribunal from 30.06.2008 (P 4/06, OTK-A 2008/5/76)
17. Judgement of Constitutional Tribunal from 28.10.2015 (SK 59/13, OTK-A 2015/10/162)
18. Judgment of Court of Appeal in Wrocław from 10.7.2013 (II AKz 266/13)
19. Judgment of Court of Appeal in Warszawa from 20.11.2015 (II AKa 274/15)
20. Judgment of Court of Appeal in Wrocław from 22.01.2016 (II AKa 330/15)
21. Judgment of Court of Appeal in Wrocław from 19.10.2016 (II AKa 244/16)
22. Order of Court of Appeal in Lublin from 29.6.2005 (II AKz 154/05, OSA 2005/12/82)

23. Judgement of Supreme Administrative Court in Wrocław from 4.9.1997 (I SA/Wr 948/96)

Other:

1. Information on results of control of Polish Supreme Audit Office on recovery of property derived from crimes (the audited period: 2016-2018), Warszawa 2019
2. Pismo Rzecznika Praw Obywatelskich do Ministra Sprawiedliwości, 6.7.2016 (Letter of Polish Ombudsman to the Minister of Justice of 6.7.2016)

Finland:

Legal acts:

1. Constitution of Finland (731/1999)
2. Convention for the Protection of Human Rights and Fundamental Freedoms of November 4, 1950
3. Criminal Code of Finland of December (39/1889)
4. Act on the Recovery of Assets to Bankruptcy Estates (758/1991)
5. Government Bill, 4/2016
6. Government Bill, No. 80/2000

Literature:

1. J. Rautio, *Uudet menettämisseuraamuksiin liittyvät menettelysäännökset* (The provisions on the procedure regarding the new forfeiture sanctions), in: J. Riekkinen (ed.), *Festschrift Tuula Linna*, Alma Talent, Helsinki 2017
2. R. Lahti & M. Rainiala, *Alternative Investigation and Sanctioning Systems for Corporate and Corporate-related Crime in Finland*, *Revue Internationale de Droit Pénal*, Vol. 90, 2019

Judgements:

1. Judgement of European Court of Human Rights from 17.12.1996, Saunders vs. United Kingdom
2. Judgement of European Court of Human Rights from 5.07.2000, Phillips vs. United Kingdom
3. Judgement of Supreme Court KKO 2006:51
4. Judgement of Supreme Court KKO 2006:9
5. Judgement of Supreme Court KKO 2012:60
6. Judgement of Helsinki Appeal Court from 5.05.2021 (21/119511)

Other:

1. Report of the Legal Affairs Committee, 14/2001
2. Report of the Legal Affairs Committee, 4/2016
3. Statement of the Constitutional Law Committee, 33/2000
4. Statement of the Constitutional Law Committee, 8/2016
5. Statement of the Legal Affairs Committee of the Parliament, 13/2021

France:**Legal acts:**

1. International Convention on the Rights of the Child of November 20, 1989
2. European Convention on Human Rights of 4 November 1950
3. Charter of Fundamental Rights of the European Union from 18.12.2000
4. The Declaration of the Rights of Man and of the Citizen of 1789
5. Penal Code (*Code pénal*) of 22.07.1992
6. Code on the Entry and Residence of Foreigners and the Right of Asylum from 24 November 4, 2004
7. Law n° 2010-768 of July 9 2010 to facilitate seizure and confiscation in criminal matters (*Loi n° 2010-768 du 9 juillet 2010 visant à faciliter la saisie et la confiscation en matière pénale*)
8. Law n° 2007-297 of March 5 2007 on the prevention of crime (*Loi n° 2007-297 du 5 mars 2007 relative à la prévention de la délinquance*)
9. Law n° 2012-409 of 27 March 2012 on the execution of sentences (*Loi n° 2012-409 du 27 mars 2012 de programmation relative à l'exécution des peines*)
10. Amendement N° 238 of 16 November 2006 on Crime Prevention (No. 3338)

Literature:

1. Ascensi, *Droit et pratiques des saisies et confiscations pénales*, 2019/2020
2. Cutajar, *Le nouveau droit des saisies pénales*, AJ pén. 2012

Judgements:

1. Decision of the Constitutional Council (*Conseil constitutionnel*) n° 2010-66 QPC of November 26, 2010
2. Decision of the Constitutional Council (*Conseil constitutionnel*) n° 2021-949/950 QPC of November 24, 2021
3. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 03/11/2011 n° 10-87811
4. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 12 février 2014, n. 13-83.760
5. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 13 avril 1999, n. 97-85.443

6. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 13 Nov. 2008, n° 08-83.597
7. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 24 mai 2016, n. 15-81.287
8. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 24 September 2014, n° 13-85.921
9. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 27 June 2018, n° 16-87.009
10. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 29 janvier 2014, n° 13-80.062
11. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 3 September 2014, n° 13-83760
12. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 30 mars 2016, n. 15-81.550
13. Ruling made by Criminal Division of the Court of Cassation (*Cass. crim.*) 8 June 1977 n° 76-93.504

Other:

1. Senate report (*Rapp. Sénat*) n. 302 (2011-2012)

Spain:

Legal acts:

1. Spanish Constitution of 1812
2. Royal Decree of 14 September 1882 approving the Law of Criminal Procedure (*Real Decreto de 14 de septiembre de 1882 por el que se aprueba la Ley de Enjuiciamiento Criminal*)
3. Organic Law 10/1995, of 23 November 1995 on the Penal Code (*Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal*)
4. Organic Law 12/1995, of 12 December 1995 on the Repression of Smuggling (*Ley Orgánica 12/1995, de 12 de diciembre, de Represión del Contrabando*)
5. Organic Law 14/2015, of 14 October on the Military Criminal Code (*Ley Orgánica 14/2015, de 14 de octubre, del Código Penal Militar*)
6. Organic Act 7/2000 on rights and freedoms of foreigners in Spain and their social integration
7. Royal Decree 948/2015 of 23 October, regulating the Office for Asset Recovery and Management
8. Organic Law 1/2015 of 30 March 2015 which amends Organic Law 10/1995 of 23 November 1995 on the Criminal Code (*Ley Orgánica 1/2015, de 30 de marzo, por la que se modifica la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal*)

9. Organic Law 5/2010, of 22 June, which amends Organic Law 10/1995 of 23 November on the Penal Code (*Ley Orgánica 5/2010, de 22 de junio, por la que se modifica la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal*)
10. Organic Law 6/2011, of 30 June, which amends Organic Law 12/1995 of 12 December on the repression of smuggling (*Ley Orgánica 6/2011, de 30 de junio, por la que se modifica la Ley Orgánica 12/1995, de 12 de diciembre, de represión del contrabando*)
11. Organic Law 15/2003, of 25 November, amending Organic Law 10/1995, of 23 November, on the Criminal Code (*Ley Orgánica 15/2003, de 25 de noviembre, por la que se modifica la Ley Orgánica 10/1995, de 23 de noviembre, del Código Penal*)

Literature:

1. Aguado Correa, T. (2015), 'Artículo 127 bis a' a 'Artículo 128', en M. Gómez-Tomillo Rodrigo (dir.), *Comentarios prácticos al Código Penal*, T.1, Cizur Menor: Aranzadi
2. Berdugo Gómez de la Torre, I. (2017), *Política criminal contra la corrupción: la reforma del decomiso en España*, in Berdugo Gómez de la Torre et al, *Recuperación de activos y decomiso. Reflexiones desde los sistemas penales iberoamericanos*, Valencia: Tirant lo Blanch
3. Blanco Cordero, I. (2008) *Comiso ampliado y presunción de inocencia*, in Puente Aba et al (coords.), *Criminalidad organizada, terrorismo e inmigración: retos contemporáneos de la política criminal*, Granada: Comares
4. Blanco Cordero, I. (2017), *El decomiso en el Código penal y la transposición de la Directiva 2014/42 UE sobre embargo y/o decomiso en la Unión Europea*, in J.L. de la Cuesta (Dir.), *Adaptación del Derecho Penal español a la Política Criminal de la Unión Europea*, Cizur Menor: Thomson Reuter
5. Blanco Cordero, I. (2021), *Decomiso de instrumentos de propiedad de terceros no responsables del delito*, in De Vicente Martínez et al. (eds.), *Libro homenaje al Profesor Luis Arroyo Zapatero. Un Derecho Penal humanista*, vol. II
6. Castellví Monserrat, C. (2019), *Decomisar sin castigar*, InDret 1/2019
7. Castellví Monserrat, C. (2020), *V. Especial consideración del decomiso*, in Corcoy Bidasolo/Gómez Martín (Dir.), *Derecho penal económico y de empresa. Parte general y Parte especial. Doctrina y jurisprudencia con casos solucionados*, T.2, 2nd ed., Valencia: Tirant lo Blanch
8. Corcoy Bidasolo, M. (2015), *Título VI. De las consecuencias accesorias*, in Corcoy Bidasolo, M. / Mir Puig, S. (dirs.), *Comentarios al Código Penal. Reforma LO 1/2015 y LO 2/2015*, Valencia: Tirant lo Blanch
9. De la Mata Barranco, N.J. (2017), *El fundamento del decomiso como 'consecuencia' del delito: naturaleza jurídica confusa, pero objetivo claramente punitivo*, in Silva Sánchez, J.M. et al (coords.), *Estudios de derecho penal: homenaje al profesor Santiago Mir Puig*, Madrid: BdF
10. Díaz Cabiale, J.A. (2016), *El decomiso tras las reformas del Código Penal y la Ley de Enjuiciamiento Criminal de 2015*, Revista Electrónica de Ciencia Penal y Criminología
11. Díez Ripollés, J.L. (2020), *Derecho Penal español. Parte General en esquemas*, 5th ed., Valencia: Tirant

12. Fabián Caparrós, E.A. (2017), *La regulación del decomiso tras la reforma de la Ley Orgánica 1/2015*, in Berdugo Gómez de la Torre et al, *Recuperación de activos y decomiso. Reflexiones desde los sistemas penales iberoamericanos*, Valencia: tirant lo Blanch
13. Gil Gil, A., et al. (2018), *Consecuencias jurídicas del delito. Regulación y datos de la respuesta a la infracción penal en España*, Madrid, Dykinson
14. Gorjón Barranco, M.C. (2016), *El comiso ampliado como paradigma del moderno Derecho penal*, Revista Penal, 38
15. Hava García, E. (2015), *La nueva regulación del comiso*, in Quintero Olivares, G. (dir.), *Comentario a la Reforma Penal de 2015*, Cizur Menor: Aranzadi
16. Matellanes Rodríguez, N. (2017), *Muestras del proceso expansivo del Derecho Penal en materia de corrupción en la reforma del Código Penal de 2015: referencia a la ampliación del comiso*, in Berdugo Gómez de la Torre et al, *Recuperación de activos y decomiso. Reflexiones desde los sistemas penales iberoamericanos*, Valencia: tirant lo Blanch
17. Neira Peña, A.M. / Pérez-Cruz Martín, A.J. (2016), *El decomiso sin condena y la constitucionalidad de las presunciones legales sobre el origen ilícito de los bienes objeto de decomiso*, in Fuentes Soriano, O. (coord.), *El proceso penal: cuestiones fundamentales*, Valencia: tirant lo blanch
18. Pérez Ureña, A.A. (2017), *La rebeldía en el proceso civil (prueba pericial)*
19. Planchadell Gargallo, A. / Vidales Rodríguez C. (2018), *Decomiso: comentario crítico desde una perspectiva constitucional*, Estudios penales y criminológicos, vol. XXXVIII
20. Quintero Olivares, G. (2017), *Comiso*, in Boix Reig (dir.) / Lloria García, (coord.), *Diccionario de Derecho Penal Económico*, 2nd ed., Madrid: Iustel
21. Rodríguez-García, N. / Orsi, O.G. (2020), *La protección reforzada en España de los terceros afectados por el decomiso de bienes ilícitos*, Rev. Bras. De Direito Processual penal, vol.6, n.2
22. Roig Torres, M. (2016), *La regulación del comiso. El modelo alemán y la reciente reforma española*, Estudios Penales y Criminológicos, vol. XXXVI
23. Vidales Rodríguez, C. (2015), *Consecuencias accesorias: Decomiso (arts. 127 a 127 octies)*, in González Cussac, J.L. (dir.), *Comentarios a la Reforma del Código Penal de 2015*, Valencia: tirant lo Blanch

Judgements:

1. Decision of the European Court of Human Rights 696/2005, Dassa Foundation vs. Liechtenstein
2. Decision of the first chamber of the Court of Justice of European Union (14th Jan 2021) C-393/19
3. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 16/2009
4. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 1049/2011
5. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 1061/2002
6. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 209/2014
7. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 450/2007
8. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 575/2013

9. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 599/2020
10. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 600/2012
11. Judgement of the Supreme Court (*Sentencia del Tribunal Supremo*) 632/2020
12. Decision of the National Court (*Audiencia Nacional*) SAN 6/2020
13. Judgement of the Constitutional Tribunal (*Sentencia del Tribunal Constitucional*) 126/2011
14. Judgement of the Constitutional Tribunal (*Sentencia del Tribunal Constitucional*) 219/2006
15. Judgement of the Constitutional Tribunal (*Sentencia del Tribunal Constitucional*) 220/2006

Other:

1. Non-jurisdictional plenary session of the Supreme Court (*Tribunal Supremo*) from October 5 1998

Austria:

Legal acts:

1. European Convention on Human Rights of 4 November 1950
2. First Additional Protocol to the European Convention on Human Rights and Fundamental Freedoms of March 20, 1952
3. United Nations Convention against Illicit Traffic in Narcotic Drugs and Psychotropic Substances 1988
4. United Nations' International Convention for the Suppression of the Financing of Terrorism 1999
5. Austrian Criminal Code (*Strafgesetzbuch*) of 13 November 1998
6. Austrian Code of Criminal Procedure (*Strafprozessordnung*)
7. Narcotic Substances Act, BGBl I 1997/112
8. Financial Crime Law, BGBl 1958/129
9. Aliens Police Act, BGBl I 2005/100
10. Anti-Terrorism Act 2021 (*Terror-Bekämpfungsgesetz (TeBG)*, BGBl I 2021/159)
11. Criminal Law Competence Package 2010 (*Strafrechtliches Kompetenzpaket (sKp)*, BGBl I 2010/108)
12. Criminal Law Amendment Act 1996
13. Criminal Law Amendment Act 2015

Literature:

1. Fuchs/Tipold in *Wiener Kommentar zum Strafgesetzbuch* (2nd edition)

2. Fuchs/Tipold in *Wiener Kommentar zum Strafgesetzbuch* (second edition) Vor §§ 19a-20c
3. Fuchs/Tipold in *Wiener Kommentar zur Strafprozessordnung* § 443
4. Hinterhofer, *Verfall statt Abschöpfung der Bereicherung im österreichischen Strafrecht*, ecolex 2011
5. Höpfel in *Wiener Kommentar zum Strafgesetzbuch* (second edition) § 1
6. Jesionek/Birklbauer, *Allgemeiner Teil II* (9th edition)
7. Maleczky, *Allgemeiner Teil II* (21st edition)
8. Schmidhuber, *Konfiskation, Verfall und Einziehung*
9. Schumann, *(Non-)conviction based und extended confiscation in Österreich. Überlegungen zu Rechtsnatur, Systematik und Problemen vermögensrechtlicher Anordnungen*, NZWiSt 2018
10. Stricker in Leukauf/Steininger, *Kommentar zum Strafgesetzbuch* (4th edition)
11. Tischler in *Salzburger Kommentar zum Strafgesetzbuch* Vor §§ 20 bis 20c und 6 StGB

Judgements:

1. Judgement of The Supreme Court (*Oberster Gerichtshof*) OGH 14 Os 111/20k
2. Judgement of The Supreme Court (*Oberster Gerichtshof*) OGH 14 Os 54/17y
3. Judgement of The Supreme Court (*Oberster Gerichtshof*) OGH 14 Os 63/21b
4. Judgement of The Supreme Court (*Oberster Gerichtshof*) OGH 29.6.2021, 14 Os 29/21b
5. Judgement of The Constitutional Court (*Verfassungsgerichtshof*) VfGH vom 8. 10. 2015, G 154/2015

Hungary:

Legal acts:

1. Hungarian Criminal Code of 2012 (*2012. évi C. törvénya Büntető Törvénykönyvről*)

Literature:

1. Cases of the Courts of Appeal (*Ítéltáblai Határozatok*) ÍH 2018.49
2. Cases of the Courts of Appeal (*Ítéltáblai Határozatok*) ÍH 2019.7
3. Cases of the Courts of Appeal (*Ítéltáblai Határozatok*) ÍH 2019.78

Judgements:

1. Uniformity Decision of the Supreme Court (*Magyarország Legfelsőbb Bírósága*) No. 1/2008
2. Judgement of the Higher Court of Pécs Bf.I.63/2017/10

3. Judgement of the Higher Court of Pécs s Bf.I.41/2018/9
4. Judgement of Municipal Court 28.B.683/2018/17-I

Czech Republic:

Legal acts:

1. European Convention on Human Rights of 4 November 1950
2. Statute No. 40/2009 Coll., Criminal Code (*Trestní zákon*)
3. Act No. 141/1961, Criminal Procedure Code (*Trestní řád*)
4. Act No. 218/2003 Coll., Juvenile Justice Act of 25 June 2003
5. Act No. 418/2011, Criminal Liability of Legal Persons Act of 27 October 2011
6. Act No. 55/2017 Coll. on amendment of the Criminal Code and other acts

Literature:

1. Náhlovská, L. *Protective measures seizing part of property as a crime control tool*. Právní rozhledy No. 3/2019
2. Šámal, P. et al., *Criminal Procedure Code II*, §§ 157 to 314, Prague 2013

Judgements:

1. Judgement of the European Court of Human Rights *Asan Rushiti v. Austria*, no. 28389 of 21 March 2000
2. Judgement of the European Court of Human Rights *Geerings v. the Netherlands*, no. 30810/03 of 1 March 2007
3. Judgement of the European Court of Human Rights *Phillips v. the United Kingdom*
4. Judgement of the European Court of Human Rights *Sekanina v. Austria*, no. 13126/87 of 25 August 1993
5. Judgement of the European Court of Human Rights *Van Offeren v. the Netherlands*, no. 19581/04 of 5 July 2005
6. Decision of the Constitutional Court (*Ústavní soud*) II ÚS 1026/21 of 28 January 2022
7. Resolution of the Constitutional Court (*Ústavní soud*) I ÚS 1651/20 of 21 July 2020
8. Resolution of the Constitutional Court (*Ústavní soud*) Resolution II ÚS 941/21 of 26 April 2021

Other:

1. House Document No. 753, 7th Election Period (2013-2017)

Croatia:

Legal acts:

1. Protocol to the Convention for the Protection of Human Rights and Fundamental Freedoms of March 20, 1952
2. Criminal Code of October 26, 2011 (*Kazneni Zakon*)
3. Criminal Procedure Act of 2011
4. General Tax Act of April 8, 2020
5. Income Tax Act of December 23, 2022

Literature:

1. Bojanić, I., *Promjene u općem dijelu Kaznenog zakona prema Prijedlogu zakona o izmjenama i dopunama Kaznenog zakona iz 2005. godine*, Croatian Annual of Criminal Sciences and Practice, Zagreb, vol. 12, 2/2005
2. Hrupec, M., *Oduzimanje i prošireno oduzimanje imovinske koristi stečene kaznenim djelom*, Master's thesis, Faculty of Law – University of Zagreb, Zagreb, 2019
3. Marušić, V., Vučko, M., Kuštan, M., *Oduzimanje imovinske koristi i privremene mjere osiguranja s posebnim osvrtom na trajanje mjera i poteškoće u praksi*, Croatian Annual of Criminal Sciences and Practice, Zagreb, vol. 27, 2/2020

Judgements:

1. Judgement of the European Court of Human Rights *Džinić v. Croatia* (Application no. 38359/13) of 17 May 2016
2. Judgement of the Croatian Supreme Court I Kž 1150/04-6, March 15, 2005
3. Judgement of the Croatian Supreme Court I Kž 196/2019-4, January 18, 2019
4. Judgement of the Croatian Supreme Court I Kž 321/2014-6, October 16, 2018
5. Judgement of the Croatian Supreme Court I Kž 378/2006-6, April 8, 2009
6. Judgement of the Croatian Supreme Court I Kž 66/2020-4, February 12, 2020
7. Judgement of the Croatian Supreme Court I Kž-138/93
8. Judgement of the Croatian Supreme Court Kž- 606/12-4, September 26, 2020
9. Judgement of the Croatian Supreme Court Kž-34/15-3, 2015
10. Judgement of the Croatian Supreme Court Kž-527/09, September 3, 2009
11. Judgement of the Croatian Supreme Court Kž-Us-160/14-3, 2014
12. Judgement of the Croatian Supreme Court KZZ-14/9
13. Decision of the Croatian Supreme Court I Kž 98/2016-4, March 8, 2016
14. Decision of the Croatian Supreme Court I Kž Us 66/13-3, October 23, 2013
15. Decision of the Croatian Supreme Court I Kž-Us 141/16-3 of November 22, 2016
16. Decision of the Croatian Supreme Court Kž 324/2018-6, November 14, 2018
17. Decision of the Croatian Supreme Court Kž-941/10
18. Judgement of Croatian Country Court K-Us – 46/2017
19. Judgement of Croatian Country Court Kv-I-Us-79/202

Other:

1. Jakelić, I., Afera HKG – REMORKER, USKOK činjenični opis Vidoševićeve optužnice prilagodio dokazima, available at: <https://www.vecernji.hr/vijesti/uskok-cinjenicni-opis-vidoseviceve-optuznice-prilagodio-izvedenim-dokazima-1541657>

Bulgaria:**Legal acts:**

1. Constitution of the Republic of Bulgaria of 1991
2. Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950
3. Additional Protocol No 1 to The Convention for the Protection of Human Rights and Fundamental Freedoms of 20 March 1952
4. Criminal Law of Bulgarian Kingdom of 1896
5. Criminal Code of the Republic of Bulgaria of 1968
6. Criminal Procedure Code of the Republic of Bulgaria of 2005
7. Code of Civil Procedure of 2008
8. The Law on Confiscation for the Benefit of the State of Illegally Acquired Properties of 1919
9. Law on the Protection of the Nation of 1941
10. Law on Property of 1951
11. Law on Administrative Offenses and Penalties of 1969
12. Citizens' Ownership Act of 1973
13. Law on the Persecution of Illegally Enriched Officials of 1986
14. Law on Measures to Combat Money Laundering of 1998
15. Law on Measures against Financing of Terrorism of 2003
16. Law on forfeiture for the benefit of the State of property acquired from criminal activity of 2005
17. Law on Forfeiture in favour of the State of Property Acquired by Criminal Activity of 2005
18. Transitional and Conclusive provisions of Law on confiscation for the benefit of the State of property acquired from criminal activity of 2005
19. Law on the Forfeiture of Property Acquired by Criminal Activity of 2005
20. Administration of Justice Act of 2007
21. The Law on the Forfeiture of Illegally Acquired Property in Favour of the State of 2012
22. National Strategy for the Prevention and Combating of Corruption in the Republic of Bulgaria (2015-2020) adopted by the Council of Ministers by Decision No 230 of 09. IV.2014

23. The Law on Combating Corruption and Forfeiture of Illegally Acquired Property of 2018
24. The Law on Amendments and Additions to LCCFIAP, DV No 1/3. I. 2019
25. Amendment and supplement of CC Law of 1982

Literature:

1. Atanasov, G. *For "civil confiscation", "illegally acquired property" and vulgarization of the law (II)*. //Lawyer's Review, 2020, No 3-4
2. Коларов, Т. *Обезпечаването и отнемането на незаконно придобито имущество в гражданския процес. Forfeiture of illegally acquired property in civil proceedings*. В., ВСУ "Черноризец Храбър", 2013
3. Милкова, Ф. *История на българската буржоазна държава и право в периода 1918 – 1944. The History of the Bulgarian bourgeois state and law in the period 1918 – 1944*. Sofia „Science and art”publ, 1967
4. Rui, J. P., U. Sieber. (Eds.). *Non-Conviction-Based Confiscation in Europe: Possibilities and Limitations on Rules Enabling Confiscation without a Criminal Conviction*. Berlin: Duncker & Humblot, 2015
5. Vladimirov, R. *Confiscation of property in favour of the state*
6. Андреев, М. *История на българската буржоазна държава и право – 1878 – 1917. History of the Bulgarian bourgeois state and law – 1878 – 1917*. Sofia, „St. Kliment Ohridski” publ., 1971
7. Атанасов, Г. *За „гражданската конфискация, незаконно придобитото имущество и вулгаризацията на правото. On the "civil confiscation", "illegally acquired property" and the vulgarization of the Law (III)*. // Адвокатски преглед, 2021, No 6
8. Владимиров, Р. *Отнемане на имущество в полза на държавата по НК и по закона за отнемане в полза на държавата на имущество, придобито от престъпна дейност. Forfeiture for the benefit of the State by Criminal Code and by Law on forfeiture for the benefit of the State of property acquired from criminal activity* //Административно правосъдие, 2008 г. No 1
9. Груев, Л. *Наказването за престъпление. Punishing for a crime*. С., БАН, 2020
10. Илкова, Р. *Forfeiture in favor of the state*
11. Илкова, Р. *Отнемането в полза на държавата – материалноправни и процесуални аспекти. Forfeiture for the benefit of the State – substantive law and procedural law aspects*. С., СУ „Св. Кл. Охридски, 2008
12. Кръстева, Здр. *По някои дискуссионни въпроси на неоснованото на присъда отнемане в полза на държавата на незаконно придобито имущество. On some controversial issues of non-conviction forfeiture in favor of the state of illegally acquired property*.//Научни изследвания, 2012, No 2
13. Николов, Н. *Гражданската конфискация по закона за отнемане в полза на държавата на незаконно придобито имущество. Civil confiscation under the Law on the Fofeiture of illegally Acquired property in favor of the state*. С., "Феней", 2012
14. Стойнов, Ал. *Наказателно право. Обща част. Второ изд. Criminal Law. General Part*. 2 ed. Ciela publ., 2019

Judgements:

1. Judgment of European Court of Human Rights from 03.03.2015 in case No. 12685/09, Dimitriovi v. Bulgaria
2. Judgement of European Court of Human Rights from 13.07.2021 in case No. 50705/11, Todorov and others v. Bulgaria
3. Judgment of the Court (Third Chamber) of 28 October 2021, C-319/19
4. Interpretative Decision No 7 of 30. VI. 2014 of the General Assembly of the Civil Collegium (GACC) of the Supreme Court of Cassation, case No 7/201
5. Interpretative Decision No 1 of 2018 of the GACC of the Supreme Court of Cassation, case No 1/2018
6. Interpretative Decision No 4 of 2016 of the GACC of the Supreme Court of Cassation, case No 4/2016
7. Decision of The Constitutional Court of Bulgaria No. 13 of 13 October, 2012 constitutional case No .6/2012

Other:

1. <https://news.lex.bg/346>
2. <https://offnews.bg/temida/vazobnoviavat-346-spreni-dela>
3. Interim Opinion on the Draft Amendments to the Law on Assembly and Manifestations of Georgia adopted by the Venice Commission at its 82nd Plenary Session (Venice, 12-13 March 2010), CDL-AD (2010)009-e
4. Margaritova, Sv. <https://www.pravanachoveka.com/about/> and https://www.capital.bg/politika_i_ikonomika/pravo/2021/07/13/4232261_espch_konfi_skuva_se_samo_imushtestvo_koeto_ima_vruzka/
5. Nikolaev N. The Supreme Court made a mistake in civil confiscation. 8. I. 2019 <https://trud.bg/>
6. Opinion on the sixth revised draft act on forfeiture of assets acquired through criminal activity or administrative violations of Bulgaria adopted by the Venice Commission at its 87th Plenary Session (Venice, 17-18 June 2011)

Italy:

Legal acts:

1. Constitution of the Republic of Italy (*Costituzione della Repubblica Italiana*) of 1947
2. Italian Criminal Code (*Codice Penale*) of 1930
3. Italian Code of Criminal Procedure of 1988
4. Decree-law (D.L.) n. 92/2008
5. Decree-law (D.L.) 306/1992 converted to Law 356/1992
6. Italian Legislative Decree 21/2018

7. Italian Legislative Decree n. 202/2016
8. Italian Legislative Decree no. 271 of 1989
9. Law. 161/2017
10. Leg. Decree n. 231/2007
11. Legislative decree 8 June 1992 n. 306, converted into law of 7 August 1992, n. 356 (in G.U. 07/08/1992)
12. Legislative Decree no. 159 of 2011
13. Legislative decree of 20 June 1994 n. 399 converted into the Law 8 August 1994 n. 501

Literature:

1. A. Gialanella, *Funzionalità e limiti garantisti dell'ordinamento penale alla difficile "prova" delle misure di prevenzione patrimoniale*, in Crit. dir. 1999
2. A. M. Maugeri, *La confisca "allargata"*, in Centro Nazionale Prevenzione e Difesa Sociale (a cura di), *Misure patrimoniali nel sistema penale: effettività e garanzie*, Milano, 2016
3. A. M. Maugeri, *La lotta contro l'accumulazione di patrimoni illeciti*, in Riv. Trim. Dir. Pen. Ec., n. 3
4. A. M. Maugeri, *La riforma delle sanzioni patrimoniali: verso un actio in rem?* in Mazza-Viganò, *Misure urgenti in materia di sicurezza pubblica (d.l. 23 maggio 2008, n. 92 conv. in legge 24 luglio 2008, n. 125)*, Torino 2008
5. A. M. Maugeri, *La Suprema Corte pretende un uso più consapevole della categoria dell'impresa mafiosa in conformità ai principi costituzionali*, in Dir. pen. cont. 2015
6. A. M. MAU, *Le moderne sanzioni patrimoniali tra funzionalità e garantismo*, Milano 2001
7. A. M. Maugeri, *Le moderne sanzioni patrimoniali tra funzionalità e garantismo*, Milano 2001
8. A. M. Maugeri, *Misure di prevenzione e fattispecie a pericolosità generica: la Corte Europea condanna l'Italia per la mancanza di qualità della "legge", ma una rondine non fa primavera*, ibidem, 6 marzo 2017
9. A. M. Maugeri, P. Pinto de Albuquerque, *La confisca di prevenzione nella tutela costituzionale multilivello*, in Dir. Pen. Cont. Riv. Trim. 2019
10. A. M. Maugeri, *Profili di legittimità costituzionale delle sanzioni patrimoniali*
11. A. M. Maugeri, *Una parola definitiva sulla natura della confisca di prevenzione? Dalle Sezioni Unite Spinelli alla sentenza Gogitidze della Corte EDU sul civil forfeiture*, in Riv. it. dir. proc. pen. 2015
12. A. Manna, *Misure di prevenzione e diritto penale: una relazione difficile*, Pisa, Pisa University Press, 2019
13. C. E. Paliero – A. Travi, *La sanzione amministrativa. Profili sistematici*, Milano 1988
14. C. King – C. Walker, *Dirty assets. emerging issues in the regulation of criminal and terrorist assets*, Routledge, 2014
15. Contraffatto, *L'oggetto della confisca di prevenzione e lo standard della prova*, in Balsamo – Contraffatto – Nicastro (a cura di), *Le misure patrimoniali contro la criminalità organizzata*, Milano 2010

16. D. Cardamone, Criminal Prevention in Italy *From the “Pica Act” to the “Anti-Mafia Code”*, in http://www.europeanrights.eu/public/commenti/bronzini1-Cardamone_Criminal_prevention_in_Italy_2.0.pdf
17. D. Fondaroli, *Le ipotesi speciali di confisca nel sistema penale*, Bologna 2007
18. Dell’Osso, *Sulla confisca di prevenzione come istituto di diritto privato: spunti critici*, in Dir. Pen. Proc. 2019
19. E. Aprile, *La Corte Costituzionale “riscrive” la disciplina delle misure di prevenzione “generiche” per garantirne maggiore determinatezza nei loro presupposti applicativi e negli effetti penalistici della violazione delle relative prescrizioni* - C. Cost., 27 febbraio 2019, n. 24, in CP 2019
20. E. Moores, *Reforming the Civil Asset Forfeiture Reform Act Civil*, in Arizona Law Review
21. F. Basile, E. Mariani, *La dichiarazione di incostituzionalità della fattispecie preventiva*, in GP 2019
22. F. Bricola, *Forme di tutela “ante-delictum” e profili costituzionali della prevenzione*, in *Le misure di prevenzione*, a cura di Bricola – Pavarini – Stortoni e altri, Milano, 1975
23. F. Contraffatto, *L’oggetto della confisca di prevenzione e lo standard della prova*, in Balsamo – Contraffatto – Nicastro (a cura di), *Le misure patrimoniali contro la criminalità organizzata*, Milano 2010
24. F. Diamanti, *Confiscation in Italy*, in *Improving Confiscation Procedures in the European Union: final publication of the research project Improving Cooperation between EU Member States in Confiscation Procedures*, ed. Alessandro Bernardi, Napoli 2019
25. F. Mazzacuva, *Le pene nascoste – Topografia delle sanzioni punitive e modulazione dello statuto garantistico*, Torino 2017
26. F. Mazzacuva, *L’uno-due dalla Consulta alla disciplina delle misure di prevenzione: punto di arrivo o principio di un ricollocamento sui binari costituzionali?*, in RIDPP 2019
27. F. Menditto, *La sentenza De Tommaso c. Italia: verso la piena modernizzazione e la compatibilità convenzionale del sistema della prevenzione*, in Dir. Pen. Cont., N. 4, 2017
28. F. Menditto, *Le misure di prevenzione personali e patrimoniali*, Milano, 2019
29. F. Palazzo, *Per un ripensamento radicale del sistema di prevenzione*, in *Criminalia e in disCrimen* dal 12.09.2018
30. F. Sgubbi, *L’art. 12 quinquies della legge n. 356 del 1992 come ipotesi tipica di anticipazione: dalla Corte Costituzionale all’art. 12 sexies*, Torino 1996
31. F. Sgubbi, *L’art. 12 quinquies della legge n. 356 del 1992*, in *Atti del IV Convegno nazionale*, in *Diritto penale*, Torino, 1996
32. F. Siracusano, *L’impresa a “partecipazione mafiosa” tra repressione e prevenzione*, in Arch. pen. 2021
33. F. Viganò, *La Corte di Strasburgo assesta un duro colpo alla disciplina italiana delle misure di prevenzione personali*, in DPC, 3 marzo 2017
34. F. Viganò, *Riflessioni sullo statuto costituzionale e convenzionale della confisca “di prevenzione” nell’ordinamento italiano*, in Paliero – Viganò – Basile – Gatta (a cura

- di), *La pena, ancora. Fra attualità e tradizione – Studi in onore di Emilio Dolcini*, II, Milano, Giuffrè, 2018
35. Fiandaca – Visconti, *Scenari di mafia*, Torino. 2010
 36. G. Amarelli, *Confisca allargata e ricettazione: in attesa di una riforma legislativa la Corte fissa le condizioni di legittimità con una sentenza interpretativa di rigetto dai possibili riflessi su altri “reati-matrice”*, in *Giur. Cost.* 2018
 37. G. Amarelli, *Misure di prevenzione e principio di determinatezza*, in *Treccani - Libro dell'anno*, 2019
 38. G. Fiandaca – E. Musco, *Diritto penale – Parte generale*, VI ed., Bologna 2010
 39. G. Fiandaca – E. Musco, *Perdita di legittimazione del diritto penale*, in *Riv. it. dir. proc. pen.* 1994
 40. G. Fiandaca – S. Costantino (a cura di), *La legge antimafia tre anni dopo*, Milano 1986
 41. G. Fornasari, *L'ultima forma di manifestazione della “cultura del sospetto”: il nuovo art. 12-sexies della l. 356 del 1992*, CD 1994
 42. G. Grasso, *Commento all'art. 240 c.p.*, in Romano – Grasso – Padovani, *Commentario sistematico del codice penale*, III, Milano 2011
 43. G. Illuminati, *La presunzione d'innocenza*, Bologna, 1979
 44. G. Nanula, *Le nuove norme sul possesso ingiustificato di valori*, in *Il Fisco* 1995
 45. G. Squillaci, *La confisca “allargata” quale fronte avanzato di neutralizzazione dell'allarme criminalità*, in *Dir. Pen. Proc.* 2009
 46. Gialanella, *La confisca di prevenzione antimafia, lo sforzo sistemico della giurisprudenza di legittimità e la retroguardia del legislatore*, in (edited by) Cassano, *Le misure di prevenzione patrimoniali dopo il “pacchetto sicurezza”*
 47. Gialanella, *Un problematico punto di vista sui presupposti applicativi del sequestro e della confisca di prevenzione*
 48. ID., *Dalla riforma delle misure di prevenzione patrimoniali alla confisca generale dei beni contro il terrorismo*, in Mazza – Viganò, *Il “Pacchetto sicurezza” 2009 (Commento al d.l. 23 febbraio 2009, n. 11 conv. in legge 23 aprile 2009, n. 38 e alla legge 15 luglio 2009, n. 94)*, Torino 2009
 49. J. Hendry – C. King, *Expediency, legitimacy, and the rule of law: A systems perspective on civil/criminal procedural hybrids*, *Crim Law Philos*, 2017
 50. L. Capriello, *La confisca allargata e il limite temporale di operatività della misura in executivis*, in *Arch. pen.* 2020
 51. L. Ferrajoli, *La normativa antiriciclaggio*, Milano 1994
 52. L. Fornari, *Criminalità del profitto e tecniche sanzionatorie. Confisca e sanzioni pecuniarie nel diritto penale moderno*, Padova 1997
 53. Lüderssen, *Zürück zum guten alten, liberalen, anständigen Kernstrafrecht?*, in *Fest. Jäger* 1993
 54. M. Cerfedà, *La prevedibilità ai confini della materia penale: la sentenza n. 24/2019 della Corte costituzionale e la sorte delle “misure di polizia”*, in *AP* 2019
 55. M. Piccardi, *Legittima la confisca allargata nel caso di “condanna” per ricettazione*, in *CP*, n. 9, 2018
 56. M. Picchi, *Principio di legalità e misure di prevenzione nella ricostruzione dialogica fra Corte EDU, Corte costituzionale e Corte di cassazione. Gli sforzi “tassativizzanti”*

- della giurisprudenza di legittimità possono sopperire alla cattiva qualità della legge, in Osservatorio sulle fonti, n. 1/2019
57. M. Fattore, *Così lontani così vicini: il diritto penale e le misure di prevenzione*, ivi 9 aprile 2017
 58. Menditto, *Sulla rilevanza dei redditi non dichiarati al fisco ai fini del sequestro e della confisca di cui all'art. 12-sexies del d.l. n. 306/92, conv. dalla l. n. 356/92*, in <https://archiviodpc.dirittopenaleuomo.org/>
 59. P. Comucci, *Il sequestro e la confisca nella legge "antimafia"*, in Riv. it. dir. pro. pen. 1985
 60. Potetti, *Riflessioni in tema di confisca di cui alla legge 501/1994*, in Cass. pen. 1995
 61. R. Borgogno, *L'ablazione dei beni "marchiati di infamia". (Prime osservazioni su alcuni recenti interventi giurisprudenziali in tema di "confisca allargata" e di "confisca senza condanna")*, in Arch. pen. 2015
 62. R. Cantone, *La confisca per sproporzione*, in *La legislazione penale in materia di criminalità organizzata, misure di prevenzione ed armi*, a cura di V. Maiello, Torino, 2015
 63. R. Magi, *Per uno statuto unitario dell'apprezzamento della pericolosità sociale*, ivi 13 marzo 2017
 64. R. Sciarrone, *Mafie, relazioni e affari nell'area grigia*, Torino 2011
 65. Romano, *La l. 17 ottobre 2017, n. 161 e l'amministrazione giudiziaria dei patrimoni sottratti al crimine: una risposta, non sempre adeguata, alla richiesta di intervento legislativo*, in Proc. pen. e giustizia 2018
 66. S. Finocchiaro, *Due pronunce della corte costituzionale in tema di principio di legalità e misure di prevenzione a seguito della sentenza de Tommaso della Corte Edu*, in DPC 2019
 67. S. Finocchiaro, *La confisca "civile" dei proventi da reato. Misura di prevenzione e civil forfeiture: verso un nuovo modello di non-conviction based confiscation*, Milano, Criminal Justice Network, 2018
 68. S. Finocchiaro, *La Corte Costituzionale sulla ragionevolezza della confisca allargata verso una rivalutazione del concetto disproporzione?*, in DPC 2, 2018
 69. S. Hein – C. Visconti, *Combating Illegal Proceeds in Italy*, in Militello – Huber (eds.), *Towards a European Criminal Law against organised crime – Proposal and summaries of the joint European project to counter organised crime*, Freiburg im Br., 2001
 70. S. Milone, *La confisca allargata al banco di prova della ragionevolezza e della presunzione di innocenza*, in LP, 2018
 71. T. Epidendio, *La confisca nel diritto penale e nel sistema delle responsabilità degli enti*, Padova, 2011
 72. Trinchera, *Confiscare senza punire? uno studio sullo statuto di garanzia della confisca della ricchezza illecita*, Torino 2020
 73. V. Maiello, *La prevenzione ante delictum da pericolosità generica al bivio tra legalità costituzionale e interpretazione tassativizzante (Osservazione a Corte cost., 27 febbraio 2019 n. 24)*, in GCost 2019

Judgements:

1. Judgement of the European Court of Human Rights 20 June 2002, Andersson v. Italy, n. 55504/00
2. Judgement of the European Court of Human Rights 22 Februar 1989, Ciulla v. Italy
3. Judgement of the European Court of Human Rights 22 February 1994, Raimnondo v. Italy
4. Judgement of the European Court of Human Rights 25 March 2003, Madonia v. Italy, n. 55927/00
5. Judgement of the European Court of Human Rights 28 June 2018, G.I.E.M. S.R.L. and others v. Italy, nos. 1828/06
6. Judgement of the European Court of Human Rights 5 January 2010, Bongiorno v. Italia, n. 4514/07
7. Judgement of the European Court of Human Rights 6 November 1980, Guzzardi, *ivi*, Série A vol. 39, 37
8. Judgement of the European Court of Human Rights Bocellarie Rizza v. Italy, n. 399/02
9. Judgement of the European Court of Human Rights, Grand Chamber, 1 March-6 April 2000, Labita v. Italy
10. Judgement of the European Court of Human Rights, I section, 25 September 2008, Paraponiaris v. Greece, ref. no. 42132/06
11. Decision of the European Court of Human Rights of 5 July 2001, Arcuri and three others v. Italy, n°. 52024/99
12. Decision of the European Court of Human Rights 4 September 2001, Riela v. Italy, n°. 52439/99
13. Judgement of the European Comission of Human Rights, 15 April 1991, Marandino, no. 12386/86
14. Judgement of the Supreme Court, VI, n. 1600/1996
15. Judgement of the Supreme Court, 08/02/ 2007, n. 5640
16. Judgement of the Supreme Court, 30 January 2009, n. 17988
17. Judgement of the Supreme Court, United Sections, 25 March 2010, n. 13426
18. Judgement of the Supreme Court, 10/06/2013, n. 32032
19. Judgement of the Supreme Court, 17/12/2013, n. 12493
20. Supreme Court, U.S., Const. court. 24/2019
21. Supreme Court, U.S., Const. court. 33/2018
22. United States v. \$124,700, 458 F.3d 822, 826 (8th Cir. 2006)
23. United States v. James Daniel Good Real Property, 114 Supreme Court 492 (1993)
24. Judgement of The United Sections of the Court of Cassation (*Cass. S.U.*) n. 29022/2001, Derouach
25. Judgement of The United Sections of the Court of Cassation (*Cass. S.U.*) n. 33451/2014
26. Judgement of the United Sections of the court of Cassation (*Cass., Unit. Sect., 26 june 2014, Spinelli*) n. 4880
27. Ruling of the United Chambers of the Supreme Court of Cassation [*Cass. Pen., SS.UU., 25 febbraio (15 luglio)*] 2021, n. 2742
28. Judgement of The First Chamber of the Court of Cassation (*Cass. Pen., Sez. I*) n. 19470/2018

29. Judgement of The First Chamber of the Court of Cassation (*Cass. Pen., Sez. I*) n. 41100/2014
30. Judgement of The First Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass. Pen., Sect. I*), n. 41100/2014
31. Judgement of The First Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass. Pen., Sez. I, 10 giugno 2014*) n. 52058
32. Judgement of The First Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass., sez. I, 11 December 2008*) n. 47798
33. Judgement of The First Section of the Criminal Chamber of the Supreme Court of Cassation [*Cass. pen., Sez. VI, 31 May 2011 (dep. 26 July 2011)*] n. 29926
34. Judgement The First Section of the Supreme Court of Cassation (*Cass. Sez. Un.*), 17 December 2003, Montella, n. 920, 1182
35. Judgement of the Second Section of the Court of Cassation (*Cass., sez. II, 9.1.2018*) n. 5378
36. Judgement of the Second Section of the Court of Cassation [*Cass., sez. II, 6 giugno 2019 (dep. 17/07/2019)*] n. 31549
37. Judgement of the Second Section of the Court of Cassation [*Cass., sez. II, 19 novembre 2019 (dep. 29/01/2020)*] n. 3883
38. Judgement of the Second Section of the Court of Cassation, sec. II, 10 January 2015, no. 5380, Purificato, in C.e.d., no. 262283
39. Judgement of The Second Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass., Sect. II, 8 February 2007*) n. 5640, Schimmenti
40. Judgement of The Second Section of the Supreme Court of Cassation (*Cass. sez. II*), 23 March 2011, n. 17287, T
41. Judgement of the Third Section of the Court of Cassation, sec. III, 10 September 2015, no. 43397, Lombardo, in C.e.d., no. 265093
42. Judgement of the Fourth Section of the Court of Cassation (*Cass., Sect. VI, 4 July 2019*) n. 49750
43. Judgement of The Fourth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass. Pen., Sect. VI*), n. 54447/2018
44. Judgement of The Fourth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass. Pen., Sect. VI*) n. 246083/2010
45. Judgement of The Fourth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass., sez. VI 3 aprile 2003, Prudentino*) rv. 226492
46. Judgement of The Fourth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass. Pen., Sez. VI, 4 giugno 2014*) n. 39911
47. Judgement of The Fourth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass., Sect. VI*) n. 47567/2013
48. Judgement of The Fifth Section of the Court of Cassation (*Cass., Sect. 5, 30 January 2009*) Baratta, n. 17988
49. Judgement of The Fifth Section of the Court of Cassation (*Cass., sez. I, 4 June 2009*) n. 35175
50. Judgement of the Fifth Section of the Court of Cassation (*Cass., sez. 5, 31 gennaio 2018, Isgrò*) n. 32688

51. Judgement of the Fifth Section of the Court of Cassation [*Cass. sez. V, 22 febbraio 2019 (dep. 23/10/2019)*] n. 43405
52. Judgement of The Fifth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass., sez. V, 22 febbraio 2019*) n. 43405
53. Judgement of The Fifth Section of the Criminal Chamber of the Supreme Court of Cassation (*Cass., sez. V, 27 settembre 2019*) n. 10983
54. Judgement of the Court of Cassation (*Cass., 16 gennaio 2007*) n. 5234
55. Judgement of the Court of Cassation (*Cass., 23 gennaio 2007*) n. 5248
56. Judgement of the Court of Cassation (*Cass., del 1998*) n. 5365
57. Judgement of the Court of Cassation (*Cass., Sez. I, 5 October 2006, Gashi*) n. 35481
58. Judgement of the Court of Cassation (*Cass., 15 April 1996, Berti, in Cass. Pen*) 1996, p. 3649
59. Judgement of the Court of Cassation (*Cass., 3 February 1998, Damiani, in Arch. n. proc. pen.*) 1998
60. Judgement of the Court of Cassation (*Cass., 23 June 2004, in Cass. pen.*) 2005, 2704
61. Judgement of the Court of Cassation (*Cass., 13 June 2006, Cosoleto e altri*) n. 24778
62. Judgement of the Court of Cassation (*Cass., 28 November 2006*) n. 92
63. Judgement of the Court of Cassation (*Cass., 23 March 2007, Cangialosi e altro*) n. 18822
64. Judgement of the Court of Cassation (*Cass., 26 April 2007*) n. 21250
65. Judgement of the Court of Cassation (*Cass., 8 April 2008*) n. 21717
66. Judgement of the Court of Cassation (*Cass. 26 November 2008*) n. 1178
67. Judgement of the Court of Cassation (*Cass. 3 December 2008*) n. 4479, L.B.
68. Judgement of the Court of Cassation (*Cass., 29 May 2009*) n. 35466
69. Judgement of the Court of Cassation (*Cass., 15 December 2009*) n. 2269
70. Judgement of the Court of Cassation, sec. I, 8 January 2010, no. 301, P.g. in c. Capitalia Service J.v. s.r.l. et al., in C.e.d., no. 246035
71. Judgement of the Court of Cassation (*Cass., 9 February 2011*) n. 6977
72. Judgement of the Court of Cassation (*Cass., 21 April 2011*) n. 27228
73. Judgement of the Court of Cassation (*Cass. 3 May 2011*) n. 22860
74. Judgement of the Court of Cassation, 13 November 2012 n. 14044
75. Judgement of the Court of Cassation (*Cass., 23 January 2014*) n. 16311
76. Judgement of the Court of Cassation, sec. I, 14 January 2016, no. 8317
77. Judgement of the Court of Cassation, JC, 22 February 2018, no. 39608
78. Judgement of the Court of Cassation [*Cass. 2 May (15 July) 1995*] n. 2654, Genovese
79. Judgement of the Court of Cassation, sec. II, 23 June 2004, no. 35628, Palumbo et al., in C.e.d., no. 229726
80. Ruling of the Court of Cassation (*Cass. I*) n. 19470/2018
81. Ruling of the Court of Cassation (*Cass. II*) n. 5378/2018
82. Ruling of the Court of Cassation (*Cass. VI*) n. 54447/2018
83. Ruling of the Court of Cassation (*Cassation V*) no. 1012/2017
84. Judgement of the Constitutional Court (*Corte Cost. 9 February 2012*) n. 21
85. Judgement of The Constitutional Court (*Corte cost., 9 giugno 2015*) n. 106
86. Judgement of the Constitutional Court [*Corte cost., 11 (12) July 1996*], n. 275
87. Judgement of the Constitutional Court n. 24/2019

88. Judgement of the Constitutional Court n. 33/2018
89. Ruling of the Constitutional Court (*C. cost.*) n. 88/2000
90. Constitutional Court Order (*C. cost., Ord.*) n. 18/1996
91. Constitutional Court Order (*C. cost., ord.*) n. 18/1996, Basco
92. Judgement of the Court of Appeal of Caltanissetta, Section I (*Corte d'Appello di Caltanissetta, Sez. I, 18 ottobre 2012*) (23/10/2012)
93. Judgement of the Court of Palermo, Section of prevention measures (*Tribunale di Palermo, sez. Misure di prevenzione*) 25 October 2010
94. Lynch v. Household Finance Corp., 405 U.S. 538, 552 (1972)
95. Judgement C. I, n. 21357/2008
96. Judgement C. II, n. 43776/2013
97. Judgement C. V, n. 26041/2011
98. Judgement C. VI, n. 13049/2013
99. Ruling C. I, n. 41100/2014
100. Ruling C. V, n. 1012/2017
101. Ruling C. VI, no. 1600 / 1996, Berti

Other:

1. National Agency for Seized and Confiscated Assets Report 2017
2. National Agency for Seized and Confiscated Assets Report 2019
3. Transcrime – Università degli Studi di Trento (2015) http://www.transcrime.it/wp-content/uploads/2015/11/Project-ARIEL_Final-report.pdf

Romania:

Legal acts:

1. Constitution of Romania of 1991
2. European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950
3. Criminal Code of 1969
4. Law no. 135/2010 on the Criminal Procedure Code
5. Law no. 286/2009 on the Criminal Code
6. Law no. 63/2012 on amending and supplementing the Criminal Code
7. Law no. 194/2001
8. Law no. 228/2020
9. Law no. 318/2015

Literature:

1. A. Posdarie, *Măsura de siguranță a confiscării speciale*, ed. Waldpress, Timișoara, 2000
2. A.A. Danciu, *Confiscarea extinsă*, CDP, nr. 4/2013
3. C. Sima, *Măsurile de siguranță în dreptul penal contemporan*, ed. All Beck, București, 1999
4. D. Hoffman, *Confiscarea specială în dreptul penal. Teorie și practică judiciară*, ed. Hamangiu, București, 2008
5. F. Streteanu, *Considerații privind confiscarea extinsă*, CDP, nr. 2/2012
6. L. Lefterache, *Confiscarea extinsă*, *Curierul Judiciar*, nr. 7/2015
7. M. Hotca, *Neconstituționalitatea și inutilitatea dispozițiilor care reglementează confiscarea extinsă*, published online at <https://www.juridice.ro/199507/neconstitutionalitatea-si-inutilitatea-dispozitiilor-care-reglementeazaconfiscarea-extinsa.html>.
8. M. Vasile, *Confiscarea și expulzarea în dreptul penal român*, ed. Universul Juridic, București, 2012

Judgements:

1. Constitutional Court Decision no. 78 of February 11, 2014
2. Constitutional Court Decision no. 356 of June 24, 2014
3. Constitutional Court Decision no. 11 of January 15, 2015

The Netherlands

Legal acts:

1. Penal Code of The Netherlands of 1881
2. Criminal Procedure Code of the Netherlands of 1921
3. Act of November 4, 2021 amending the Criminal Code, the Code of Criminal Procedure and some other laws in connection with strengthening the criminal law approach to undermining crime (strengthening criminal law approach to undermining crime) [*Wet van 4 november 2021 tot wijziging van het Wetboek van Strafrecht en het Wetboek van Strafvordering en enige andere wetten in verband met versterking van de strafrechtelijke aanpak van ondermijnende criminaliteit (versterking strafrechtelijke aanpak ondermijnende criminaliteit)*]

Literature:

1. Bleichrodt and Vegter, *Sanctierecht* (2016)
2. Bleichrodt and Vegter, *Sanctierecht* (2017)
3. Bleichrodt and Vegter, *Sanctiewet* (Kluwer 2017)

4. Johannes Keiler and André Klip, *The sentence is Only the Beginning: Hiccups in the Cross-Border Execution of Judgments in the Euregion Meuse-Rhine*, 29 *European Journal of Crime, Criminal Law and Criminal Justice* 2021
5. R. Hofmann and H. Nelen, (2019). *Recommendation ensuing from the process evaluation in Belgium, the Netherlands and North Rhine-Westphalia. In Cross Border Execution of Sentences: Closing the enforcement Gap (pp. 34-46). On the need to give adequate information to convicts.* Available at: https://cris.maastrichtuniversity.nl/ws/portalfiles/portal/52688676/4_Aanbevelingen_CrossBES_EN.pdf
6. R.M. Vennix, *Boef en beslag. De strafvorderlijke inbeslagneming van voorwerpen* (Nijmegen: AAlibri 1998)
7. S.S. Buisman et al., *Inbeslagneming en confiscatie van crimineel vermogen*, Boom juridisch uitgever 2018)
8. Schuyt, *T&C Strafrecht* (Kluwer 2017)

Judgements:

1. Judgement of the European Court of Human Rights *Geerings vs The Netherlands*, Application numer: 30810/03
2. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), 11 January 2022, ECLI:NL:HR:2022:4
3. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), 28 September 1999, NJ 1999/803
4. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), 8 July 1998, NJ 1998, 841
5. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), 8 October 1996, NJ 1997
6. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), HR 10 April 2007, ECLI:NL:HR:2007:AY6714
7. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), HR 20 April 2010 Judgement of the ECLI:NL:HR:2010:BL3178
8. Judgement of the Supreme Court (*Hoge Raad der Nederlanden*), HR 29 March 2022, ECLI:NL:HR:2022:365

Other:

1. Algemene Rekenkamer, *Strafrechtelijk afpakken van crimineel vermogen, veel gezaaid en weinig geoogst*, juni 2022, Parliamentary Documents (*Kamerstukken*) II 2021-2022, 29911, nr. 352
2. Official Journal (*Staatscourant*) (2015) Nr. 11370
3. Parliamentary Documents (*Kamerstukken*) II 1989/90, 21504, no. 3
4. Parliamentary Documents (*Kamerstukken*) II 2009/10, 32194, no. 3
5. *Strengthening criminal justice approach to undermining crime (Versterking strafrechtelijke aanpak ondermijnende criminaliteit)*, available at: https://www.eerstekamer.nl/wetsvoorstel/35564_versterking_strafrechtelijke

Greece:

Legal acts:

1. The Constitution of Greece of 1975 (as revised by the parliamentary resolution of May 27th 2008)
2. European Convention for the Protection of Human Rights and Fundamental Freedoms of 4 November 1950
3. Council of Europe Convention on Laundering, Search, Seizure and Confiscation of the Proceeds from Crime and on the Financing of Terrorism (CETS No. 198)
4. Greek Penal Code (*Poinikos Kodikas*) of 1950
5. Greek Code of Criminal Procedure, Law n. 4620/2019
6. National Customs Code, Law n. 2960/2001
7. Law n. 1492/1950
8. Law n. 2168/1993
9. Law n. 2331/1995
10. Law n. 3424/2005
11. Law n. 3631/2008
12. Law n. 4139/2013
13. Law n. 4478/2017
14. Law n. 4557/2018
15. Law n. 4619/2019
16. Law n. 4637/2019
17. Law n. 4689/2020
18. Law n. 4777/2021
19. Law n. 4816/2021
20. Law n. 4855/2021
21. Law n. 4871/2021
22. Law n. 4908/2022
23. Law n. 4947/2022
24. Decision n. 44570/03.09.2021
25. Explanatory memorandum (Law n. 4478/2017)

Literature:

1. Androulakis, *New regulations on the asset seizure and confiscation (Law n. 4478/2017)* [in Greek], *Nova Criminalia*, 1/2018
2. Androulakis, *Punishment without crime? Confiscation without conviction?* [in Greek], *PoinChron* 2017
3. Bitzilekis, *Meaning and aim of criminal sanctions*, in: Kaiafa-Gbandi/Bitzilekis/SymeonidouKastanidou, *Criminal Sanctions Law* [in Greek], 3rd edition, *Nomiki Bibliothiki* 2020

4. Dimitrainas, *Money laundering: application issues of Law 2331/1995* [in Greek], 2002, Nomiki Bibliothiki
5. Dionysopoulou, *The confiscation of the products of criminal activity. Observations and de lege ferenda proposals on the provisions of Law n. 2331/1995* [in Greek], Yper. 2000
6. Dionysopoulou, *When an asset derives from criminal activity? - Contribution to the definition of the scope of the assets of the money laundering offence* [in Greek], PoinChron 2006
7. Fragoso, *The “Dual-Track” System of Sanctions in Continental Criminal Law*, International Journal of Offender Therapy 12(1) 1968
8. Giannakoula, *Crime and punishment in the EU – Approximation of definitions of crime and punishment in the area of freedom, security and justice* [in Greek], Nomiki Bibliothiki 2015
9. Kaiafa-Gbandi, *Elements of European Criminal Law and their transposition in the Greek Legal Order* [in Greek], Sakkoulas 2016
10. Kaiafa-Gbandi, *The confiscation of criminal assets within the EU. The 2012 Commission proposal and the new challenges for the rule of law*, PoinChron 2013
11. Papakyriakou, *The Criminal Legislation on Combating Money Laundering as a Fundamental Axis of a New Model of Criminal Law Policy* [in Greek], in: *Essays in Honour of I. Manoledakis*, vol. II, Sakkoulas 2007
12. Pavlou, *Confiscation of means of transport under the Customs Code and other specific criminal laws* [in Greek], Armenopoulos 1989
13. Pavlou, *The confiscation in the Penal Code and the special criminal laws* [in Greek], Ant. N. Sakkoula 1994
14. Sakellaraki, *EU Asset Recovery and Confiscation Regime – Quo Vadis? A First Assessment of the Commission’s Proposal to Further Harmonise the EU Asset Recovery and Confiscation Laws. A Step in the Right Direction?*, NJECL 13/4 2022
15. Simonato, *Confiscation and fundamental rights across criminal and non-criminal domains*, ERA Forum 18/2017
16. Symeonidis, *Seizures in criminal proceedings and protection of individual rights* [in Greek], Sakkoulas 2010
17. Symeonidou-Kastanidou, *Confiscation under Art. 107 of the Customs Code* [in Greek], Yper. 2000
18. Symeonidou-Kastanidou, *The threat of penalty and security measures*, in: KaiafaGbandi/Bitzilekis/Symeonidou-Kastanidou, *Criminal Sanctions Law* [in Greek], 3rd edition, Nomiki Bibliothiki 2020
19. Triantafyllou, *Money Laundering. The contested legal goods and their contribution to the interpretation of Art. 2 (1) Law n. 2331/1995*
20. Tsiridis, *The new anti-money laundering Law n. 3691/2008* [in Greek], Nomiki Bibliothiki 2009
21. Tzannetis, *The confiscation of proceeds deriving from criminal activity*, in: *Minutes of the 4th Congress of the Hellenic Criminal Bar Association: Money laundering – “Clean or Free Society?”* [in Greek], Ant. N. Sakkoulas 2007
22. Xatzinikolaou, in: KaiafaGbandi, *Financial crime and corruption in the public sector* [in Greek], Vol. I, 2014

Judgements:

1. Decision of the Supreme Court OIAP 145/1965

Other:

1. Androulakis at the 14th Panhellenic Conference of the Hellenic Society of Criminal Law, 5.6.2022 available at: https://www.youtube.com/watch?v=jWfVXFxcGqo&ab_channel=%CE%95%CE%B B%CE%BB%CE%B7%CE%BD%CE%B9%CE%BA%CE%AE%CE%95%CF%84 %CE%B1%CE%B9%CF%81%CE%B5%CE%AF%CE%B1%CE%A0%CE%BF%CE%B9%CE%BD%CE%B9%CE%BA%CE%BF%CF%8D%CE%94%CE%B9%CE %BA%CE%B1%CE%AF%CE%BF%CF%85
2. OECD (2018), Review of Legal and Regulatory Asset Recovery Framework in Greece

Germany:

Legal acts:

1. Federal Constitution (*Grundgesetz*) of 1949
2. Penal Code (*Strafgesetzbuch*) of the German Reich of 1871
3. German Penal Code (*Strafgesetzbuch*) of 1998
4. German Code of Criminal Procedure (*Strafprozeßordnung*) of 1987
5. Civil Code (*Bürgerliches Gesetzbuch*) of 1900
6. Juvenile Justice Act (*Jugendgerichtsgesetz*) of 1923
7. Penal Confiscation Reform Act (*Gesetz zur Reform der strafrechtlichen Vermögensabschöpfung*) of 13 April 2017, BGBl. I (Federal Law Gazette, part I), pp. 872
8. Second Criminal Law Reform Act (*Zweites Gesetz zur Reform des Strafrechts – 2. StrRG*) of 4 July 1969, BGBl. I (Federal Law Gazette, part I), pp. 717
9. Act to Combat Illegal Drug Trafficking and Other Forms of Organized Crime (*Gesetz zur Bekämpfung des illegalen Rauschgifthandels und anderer Erscheinungsformen der Organisierten Kriminalität – OrgKG*) of 15 July 1992, BGBl. I (Federal Law Gazette, part I), pp. 1302
10. Introductory Law to the Penal Code (*Einführungsgesetz zum Strafgesetzbuch – EGSStGB*) of 1974
11. Regular Offences Act (*Ordnungswidrigkeitengesetz – OWiG*) of 1987 (Federal Law Gazette, part I), pp. 602
12. German Narcotic Drugs Act (*Betäubungsmittelgesetz – BtMG*) of 1994
13. Asylum Act (*Asylgesetz – AsylG*) of 2008 (Federal Law Gazette I, pp. 1798)
14. Foreign Trade and Payments Act (*Außenwirtschaftsgesetz – AWG*) of 2013 (Federal Law Gazette I pp. 1482)

15. War Weapons Controls Act (*Kriegswaffenkontrollgesetz – KrWaffKontrG*) of 2002 (Federal Law Gazette I, pp. 3970)
16. Act to Enhance the Penal Combat of Money Laundering (*Gesetz zur Verbesserung der strafrechtlichen Bekämpfung der Geldwäsche*) of 2021 (Federal Law Gazette I, pp. 32)
17. First Act for More Effective Enforcement of EU Sanctions (Sanctions Enforcement Act I – *Sanktionsdurchsetzungsgesetz I*) of 23 May 2022 (Federal Law Gazette I, pp. 754)
18. Code of Crimes against International Law (CCAIL) of 26 June 2002 (Federal Law Gazette I, pp. 2254)
19. Draft law of the Federal Government – Draft Act on the Reform of the Criminal Asset Recovery System (BT-Drucks. 18/9525)
20. Recommendation for a decision and report of the Committee on Legal Affairs and Consumer Protection (6th Committee) on the bill of the Federal Government - Printed papers 18/9525, 18/10146, 18/10307 No. 7 - Draft Act on the Reform of the Criminal Asset Recovery System (BT-Drucks. 18/11640)

Literature:

1. Böhme, F. & Busch, M. (2021): *Das Gesetz zur Verbesserung der strafrechtlichen Bekämpfung der Geldwäsche: Richtlinienumsetzung und Neuausrichtung von § 261 StGB*. Zeitschrift für Wirtschafts- und Steuerstrafrecht – wistra, pp. 169-174.
2. Bülte, J. (2022): *Kommentar* [Comment on BVerfG's ruling 2 BvL 8/19], Neue Zeitschrift für Wirtschafts-, Steuer- und Unternehmensstrafrecht – NZWiSt, pp. 203-208.
3. Eser, A. (1969): *Die strafrechtlichen Sanktionen gegen das Eigentum*. Tübingen.
4. Eser, A. (1993): *Neue Wege der Gewinnabschöpfung*. In: F. Dencker et al. (eds.): Festschrift für W. Stree & J. Wessels. Heidelberg (C.F. Müller), pp. 833-853.
5. Eser, A. (2014): [Commentary on] §§ 73 et seq. In: Schönke, A. & Schröder, H.: *Strafgesetzbuch. Kommentar*. 29th ed., München (C.H. Beck).
6. Eser, A. & Schuster, F. (2018): [Commentary on] §§ 76a. In: Schönke, A. & Schröder, H.: *Strafgesetzbuch. Kommentar*. 30th ed., München (C.H. Beck).
7. Fischer, T. (2009): *Strafgesetzbuch. Kommentar*. 56th ed., München (C.H. Beck).
8. Fischer, T. (2021): *Strafgesetzbuch. Kommentar*. 68th ed., München (C.H. Beck).
9. Heuer, B. (2021): *Einziehung ohne Verurteilung? Verfassungsrechtliche Grenzen bei der non-conviction-based confiscation*. Baden-Baden (Tectum).
10. Jescheck, H.-H. & Weigend, T. (1996): *Lehrbuch des Strafrechts*. 5th ed., Berlin.
11. Kaiser, G. (1999): *Strafrechtliche Gewinnabschöpfung im Dilemma zwischen Rechtsstaatlichkeit und Effektivität*. Zeitschrift für Rechtspolitik – ZRP, pp. 144-150.
12. Kilchling, M. (2000): *Die vermögensbezogene Bekämpfung der Organisierten Kriminalität – Recht und Praxis der Geldwäschebekämpfung und Gewinnabschöpfung zwischen Anspruch und Wirklichkeit*. Zeitschrift für Wirtschafts- und Steuerstrafrecht – wistra, pp. 241-249.
13. Kilchling, M. (2002): Deutschland. In: M. Kilchling (ed.): *Die Praxis der Gewinnabschöpfung in Europa. Kriminologische Forschungsberichte aus dem Max-Planck-Institut für ausländisches und internationales Strafrecht Band 99*. Freiburg i.Br. (edition iuscrim), pp. 429-451.

14. Kilchling, M. (2004): *Organised Crime Policies in Germany*. In: C. Fijnaut u. L. Paoli (eds.): *Organised Crime in Europe. Concepts, Patterns and Policies in the European Union and Beyond*. Dordrecht (Springer), pp. 717-762.
15. Kilchling, M. (2014a): *Finance-Oriented Strategies of Organized Crime Control*. In: L. Paoli (ed.): *The Oxford Handbook of Organized Crime*. New York (Oxford University Press), pp. 655-673; <https://www.oxfordhandbooks.com/view/10.1093/oxfordhb/9780199730445.001.0001/oxfordhb-9780199730445-e-006?rskey=PuzNjn&result=92> [03/2022].
16. Kilchling, M. (2014b): § 16 – *Geldwäsche*. In: U. Sieber, H. Satzger & B. v. Heintschel-Heinegg (eds.): *Europäisches Strafrecht*. 2nd edition, Baden-Baden (Nomos), pp. 332-342.
17. Kilchling, M. (2021): *Corruption and Corruption Control in Germany*. In: T.A. Barabás (ed.): *Distinguishing criteria between petty and high-ranking corruption. Countries' case studies*. Budapest (National Institute of Criminology), pp. 50-85; https://critcor.okri.hu/images/case_studies_2021/CRITCOR_Case_Study_20211031_sec.pdf [03/2022].
18. Kilchling, M. (2022): *Beyond Freezing? The EU's Targeted Sanctions Against Russia's Political and Economic Elites, and their Implementation and Further Tightening in Germany*. EUCRIM 2/2022, pp. 136-146. <https://doi.org/10.30709/eucrim-2022-010> [09/2022].
19. Köhler, M. (2017): *Die Reform der strafrechtlichen Vermögensabschöpfung – Überblick und Normverständnis für die Rechtspraxis*. Neue Zeitschrift für Strafrecht – NStZ, pp. 497-512 (part 1/2), pp. 665-682 (part 2/2).
20. Lenk, M. (2021): *Anmerkung* [Comment on BVerfG's ruling 2 BvL 8/19], Neue Juristische Wochenschrift – NJW, pp. 1231-1232.
21. Levy, L.W. (1996): *A Licence to Steal: The Forfeiture of Property*. Chapel Hill (University of North Carolina Press).
22. Maciejewski, T. (2020): *Rückwirkende Gesetzesverschärfungen im Steuerstrafrecht*. Zeitschrift für Wirtschafts- und Steuerstrafrecht – wistra, pp.441-449.
23. Maciejewski, T. (2021): *Nichtanwendungsgesetze*. Tübingen (Mohr Siebeck).
24. Marstaller, M.-L. & Zimmermann, T. (2018): *Non-conviction-based confiscation in Deutschland?* Baden-Baden (Nomos).
25. Meyer, F. (2015): *"Reformiert die Rückgewinnungshilfe!" – Denkanstöße für eine Generalüberholung der Vermögenabschöpfung*. Zeitschrift für die gesamte Strafrechtswissenschaft – ZStW, pp. 241-283.
26. Meyer-Goßner, B & Schmitt, B. (2022): *Strafprozessordnung. Kommentar*. 65th ed., München (C.H.Beck).
27. Podolski, J. & Brenner, T. (2003): *Vermögensabschöpfung im Strafverfahren*. Stuttgart etc. (Boorberg).
28. Podolski, J., Brenner, T., Baier, R., Veith, C. (2019): *Vermögensabschöpfung im Straf- und Ordnungswidrigkeitenverfahren*. 6th ed., Stuttgart etc. (Boorberg).
29. Reichling, T., Lange, M., Borgel, L. (2021): *Praxiskommentar* [Comment on BVerfG's ruling 2 BvL 8/19], Neue Zeitschrift für Strafrecht – NStZ, pp. 417-418.
30. Reitemeier, W., *Die Reform der strafrechtlichen Vermögensabschöpfung*. Zeitschrift für Jugendkriminalrecht und Jugendhilfe – ZJJ, pp. 354-364.

31. Rönnau, T. & Begemeier, M. (2021): *Die Vermögensabschöpfung ist keine Strafe!?* Neue Zeitschrift für Strafrecht – NStZ, pp. 705-708.
32. Schilling, H., Corsten, J. & Hübner, Y. (2021): *Entkoppelung der Verjährung strafrechtlicher Einziehung auch rückwirkend.* Zeitschrift für Wirtschafts- und Steuerstrafrecht – wistra, pp. 174-180.
33. Schönke, A. & Schröder, H, (eds.) (1976): *Strafgesetzbuch. Kommentar.* 18th ed., München (C.H. Beck).
34. Schönke, A. & Schröder, H, (eds.) (2014): *Strafgesetzbuch. Kommentar.* 29th ed., München (C.H. Beck).
35. Schönke, A. & Schröder, H, (eds.) (2019): *Strafgesetzbuch. Kommentar.* 30th ed., München (C.H. Beck).
36. Thode, M. (2000): *Die außergerichtliche Einziehung von Gegenständen im Strafprozess.* Neue Zeitschrift für Strafrecht – NStZ, pp. 62-67.
37. Tonry, M. (1997): *Forfeiture Laws, Practices and Controversies in the US.* European Journal on Crime, Criminal Law and Criminal Justice 5/3, thematic issue on money laundering and confiscation, pp. 294-307.
38. Trüg, G. (2017): *Die Reform der strafrechtlichen Vermögensabschöpfung.* Neue Juristische Wochenschrift – NJW, pp. 1913-1918.
39. Tröndle, H. (1997): *Strafgesetzbuch. Kommentar.* 48th ed., München (C.H. Beck).
40. Vogel, B. (2020): Germany. In: B. Vogel & J.-B. Maillart (eds.): *National and International Anti-Money-Laundering Law. Developing the Architecture of Criminal Justice, Regulation and Data Protection.* Cambridge/Antwerp/Chicago (Intersentia), pp. 157-301.
41. Weinbrenner, C. (2022): *Übergangsfälle der Vermögensabschöpfung nach Artikel 316h S. 1 EGSStGB.* Neue Zeitschrift für Strafrecht – NStZ, pp. 65-72.

Judgements:

1. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 10.04.2018 - 5 StR 611/17
2. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 11.12.2018 – 5 StR 198/18
3. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 02.12.2005 – 5 StR 119/05
4. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 27.01.2010 – 5 StR 224/09 (5th senate)
5. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 19.01.2012 – 3 StR 343/11 (3rd senate)
6. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 21.03.2002 – 5 StR 138/01 (5th senate)
7. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 30.05.2008 – 1 StR 166/07 (1st senate)
8. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 19.11.1993 – 2 StR 468/93 (2nd senate)

9. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 17.02.2021 – 4 StR 225/20
10. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 22.04.1994 – 4 StR 516/94
11. Ruling of the Federal Court of Appeals (*Bundesgerichtshof – BGH*) of 17.06.2010 – 4 StR 126/10
12. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 2.12.1967 – 2 BvL 14/62, 2 BvL 3/64, 2 BvL 11/65, 2 BvL 15/66, 2 BvR 15/67
13. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 14.01.2004 – 2 BvR 564/95
14. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 10.02.2021 – 2 BvL 8/19
15. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 07.04.2022 – 2 BvR 2194/21
16. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 20.03.2002 – 2 BvR 794/95
17. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 26.06.2022 – 2 BvR 219/08
18. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 29.05.2006 – 2 BvR 820/06
19. Ruling of the Federal Constitutional Court (*Bundesverfassungsgericht – BVerfG*) of 05.05.2004 – 2 BvR 1012/02

Other:

1. Federal Statistical Office, Conviction Statistics of 2020
2. Federal Police Office (*Bundeskriminalamt*) Second Periodic Security Report (*Zweiter Periodischer Sicherheitsbericht*) 2006, https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/PeriodischerSicherheitsbericht/periodischersicherheitsbericht_node.html [[03/2022].
3. Federal Statistical Office, Convictions Statistics 2016-2020
4. Federal Statistical Office, Prosecution Statistics 2017-2020
5. Federal Police Office (*Bundeskriminalamt*) Third Periodic Security Report 2021, https://www.bka.de/DE/AktuelleInformationen/StatistikenLagebilder/PeriodischerSicherheitsbericht/periodischersicherheitsbericht_node.html
6. www.thelocal.de/20180719/police-confiscate-77-berlin-properties-thought-to-belong-to-criminal-family/
7. www.dw.com/en/berlin-prosecutors-confiscate-lebanese-mafias-properties/a-44742961
8. www.faz.net/aktuell/gesellschaft/kriminalitaet/landgericht-ordnet-einziehung-von-clan-immobilien-an-16730336.html
9. Eurojust (2013): Report on non-conviction-based confiscation (General Case 751/NMSK – 2012). 02 April 2013 – Final; <https://www.procuracassazione.it/procuragenerale->

[resources/resources/cms/documents/EUROJUST_20130402_NCBC_Report.pdf](#),[03/2022].