

Where is the Republic of Slovenia when Discussing Conducting Financial Investigations in Pre-Trial Procedures and Compliance with Recommendation no. 30 of the Financial Action Task Force?

Bojan Geršak, Ph.D., Economic Crime Division, Criminal Police Directorate, Police, Slovenia. E-mail: bojangersak@gmail.com

The paper consists of three sections. In the first, the Financial Action Task Force (FATF) is discussed as the most important international body specialising in combating money laundering and terrorist financing, and their 40 recommendations are presented. Emphasis is given to Recommendation No. 30, which deals with the conduct of financial investigations of money laundering and financial terrorism. The second section addresses police measures in the collection of evidence and investigation of circumstances relevant to the determination of the proceeds and consequently the initiation or the conduct of a financial investigation. It focuses on cases of criminal offenses generating material gain with an emphasis on money laundering and financial terrorism in relation to law enforcement authorities and its regulation in the direction of the police when conducting a financial investigation. In the final section, the conduct of the financial investigation according to the provisions of the Criminal Procedure Act (2012) and Criminal code (2008) is presented with the aim of a more efficient deprivation of the property benefit. Specifically, the introduction, course, and conclusion of the financial investigation in pre-trial procedure against the recipient of the proceeds, by means of temporary securing the proceeds are presented.

The red thread of the entire process of conducting a financial investigation under the Criminal Procedure Act in relation to the Criminal Code is Recommendation no. 30. There is no special authority/agency in the Republic of Slovenia that would focus on the seizure, safekeeping, and sale of assets that are the subject of seizure within the framework of the conduct of financial investigations. Despite the decentralised nature of the field, the Council of Europe and Moneyval Committee gave Slovenia the highest grade 'C' in relation to FATF Recommendation no. 30, with which it recognised a seemingly regulated field of conducting financial investigations.

Key words: financial investigation, criminal offence, money laundering, Criminal Procedure Act, Police, office of the prosecutor

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