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Per email: poststelle@jm.nrw.de; pressestelle@jm.nrw.de
Ministry of Justice of the State of North Rhine-Westphalia
Martin-Luther-Platz 40
40212 Düsseldorf

Vienna, 11 May 2026

Ref.: 113 Js 220/19 V

Subject: Distribution proceedings concerning P2P GmbH – ongoing delay despite seizure in 2018, final confiscation order and proper registration of 62 injured parties

Dear Sir or Madam,

EFRI – European Funds Recovery Initiative, Vienna, is an organisation active in the field of cross-border victim, investor and consumer protection. It brings together and represents the interests of aggrieved investors and consumers in complex, cross-border cases of online fraud and advocates to authorities, courts and political decision-makers for the effective enforcement of victims' rights and for the effective repatriation of secured or confiscated assets.

EFRI is writing to you on behalf of 62 victims whose claims in the distribution proceedings concerning P2P GmbH were duly filed with your authority by the end of January 2026 through our German lawyer, Vladislav Dimitrov, Munich.

In the notice published in the Federal Gazette on 30 July 2025 pursuant to Section 459i(1) of the Code of Criminal Procedure (StPO) in proceedings 113 Js 220/19 V, the injured parties were expressly informed that they could file their claims within the statutory time limit. At the same time, reference was made to the attached information sheet on the compensation procedure.

This information sheet explicitly set out the legal position that, once the confiscation order has become final, it is possible to file claims for compensation within a six-month period through a simple and free procedure by merely filing a claim with the Public Prosecutor's Office. Furthermore, it was stated therein that, following the expiry of the six-month filing period, the

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Public Prosecutor's Office would conduct a final assessment as to whether the proceeds from the realisation of assets were sufficient to satisfy those injured parties who had filed genuinely valid claims.

In response to this explicit call, the 62 victims represented by EFRI asserted their claims in a timely and proper manner. These are therefore not retrospective, belated or procedurally irrelevant submissions, but rather claims filed precisely as a result of the procedure initiated and described by the Public Prosecutor's Office.

Assets were provisionally secured or seized as early as 2018. According to the notice to injured parties pursuant to Section 459i(1) of the Code of Criminal Procedure (StPO) available to us, the Regional Court of Cologne, in its judgment of 21 June 2022 in case 106 KLS 1/21 concerning P2P GmbH, ordered the confiscation of the value of the proceeds of the offence amounting to EUR 2,559,552.40. The decision is final.

This makes it all the more serious that, as things stand, the documents relating to the distribution proceedings, including the claims filed by the injured parties, have still not been forwarded to the competent court and the identification of the injured parties and their claims has still not been finalised.

The situation as at 11 May 2026 is therefore as follows:

1. In 2018, assets were provisionally secured or seized.
2. A final confiscation order has been in force since 21 June 2022.
3. The 62 victims represented by EFRI duly filed their claims by the end of January 2026.
4. According to the information provided to us, the case has still not been referred to the competent court.
5. The identification of the victims and their claims is apparently still not complete.
6. As a result, despite the proceedings having dragged on for years, the victims concerned still have no reliable prospect of a court hearing.

From the victims' perspective, this situation is unacceptable.

A significant proportion of the victims we represent are elderly people who have lost a substantial portion of their life savings as a result of the underlying fraud. For these people, the ongoing delay is not merely an internal administrative matter, but a concrete burden that has persisted for years.

This letter is not intended to prejudice the substantive judicial distribution decision. It concerns the core procedural question of why proceedings in which assets were already seized in 2018,

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and in which a final confiscation order for EUR 2,559.552.40 has been in force since 21 June 2022, in which a formal call has been made to injured parties to file their claims and in which 62 injured parties have duly filed their claims, has still not been submitted to the competent court to this day.

From the EFRI's perspective, this case raises fundamental questions regarding the effectiveness of criminal asset recovery, the practical enforcement of victims' rights and the organisation of proceedings in a case involving a significant number of injured parties.

In the EFRI's view, the continuing delay affects not only issues of domestic procedural organisation but also aspects of victim protection under EU law in cross-border proceedings. Transparent, comprehensible and effective case management is of particular importance, especially for victims from several Member States. This case therefore also raises questions, from a European perspective, regarding the practical effectiveness of victim protection and the repatriation of confiscated assets.

The EFRI requests that the management of the authority and the competent ministry address this matter without delay and consider the further handling of the proceedings. In our view, any further delay that is not objectively justifiable is unacceptable both in relation to the victims and with regard to the practical credibility of the asset recovery and victim protection system.

This letter is also being sent to document the matter for the relevant authorities at regional, national and European level in the fields of victim protection and asset recovery.

Yours faithfully

Elfriede Sixt