



**State of Israel**  
Ministry of Justice  
Office of the State Attorney  
Jerusalem

**To the Competent Authorities of the Italian Republic:**

**REQUEST FOR ASSISTANCE IN A CRIMINAL MATTER**

1. In accordance with the European Convention on Mutual Assistance in Criminal Matters, the State of Israel hereby requests that the Italian Republic grant legal assistance and execute Letters Rogatory in the manner provided for by the laws of the Italian Republic. This assistance relates to an on-going investigation conducted by the Israel Police into criminal offences of Braking and Entering into a Building, Theft Under Special Circumstances and Possession of Suspect Property, the details of which are set forth below.
2. The Request is signed and submitted by the Director of the Department of International Affairs who is authorized to submit such requests on behalf of the State of Israel.

**Factual Background**

3. On November 11, 2014, Isaac Lane (hereinafter: "**Lane**") submitted a complaint with the Israel Police, that 22 luxury watches were stolen from his home in Hertzelia, Israel.

**Commented [EG1]** החקירה עצמה היא לא רק לגבי החזקת נכס החשוד כגנוב אלא גם בעניין ההתפרצות וגניבת השעונים, בתקווה להגיע למבצעים העיקריים, בין היתר באמצעות חקירת המוכר.  
נראה לי שנוון להציג את החקירה כרחבה יותר, כדי להמחיש את חשיבותה.

**Commented [CL2R1]** אוקי מתקנת בהתאם.

4. On February 10, 2022, Lane contacted the Israel Police, and informed the investigators, that through a post on a website, that sells luxury watches (Chromo 24), he located one of his stolen watches.

5. The watch was listed under the heading "Audermars Piguet Royal Oak Chronograph 'Dubail' 25983SP mai indossato", and listed for sale for 99,471\$.

A copy of the posting is attached to this request and marked **Attachment A**.

6. According to Lane, he contacted the seller of the watch, located in Rome, Italy, and confirmed that it is indeed his stolen watch, since it had a specific number engraved on it (25), and it also had the same serial number. After confirming that, he submitted a complaint with the Italian Police.

7. According to information provided by the Italian Police to the Israel Police, the seller was contacted and the watch was seized.

8. The Israel police are conducting an ongoing criminal investigation into the suspected criminal offenses of Braking and Entering into a Building, Theft Under Special Circumstances and Possession of Suspect Property, allegedly committed by the seller of the watch.

Commented [EG3]: האם בזמן התפיסה המוכר לא נחקר על-ידי האיטלקים?

Commented [CL4R3]: ככל הנראה לא.

Commented [EG5]: גם כאן – החשוד האיטלקי, נחשד בשלב זה, רק בהחזקת רכוש החשוד כגנוב, אבל החקירה רחבה יותר. הייתי גם כאן נוקטת בניסוח יותר כללי מבחינת העבירות הרלוונטיות

Commented [CL6R5]: מתקנת

### **Purpose of this Request**

9. The purpose of the request is to receive the assistance of the Italian authorities in returning the watch to Israel and questioning the suspect.

### **Details of the Assistance Requested**

10. The Italian authorities are kindly requested to transfer the watch to the Israel Police, with the intention of returning the watch to its original owner.

Commented [EG7]: ככל שמתכוונים להחזיר את השעון למתלונן, ולא להשאירו כתפוס בידי המשטרה, נראה לי שצריך להוסיף זאת

11. According to the Israel Police, the watch which is evidence, related to the abovementioned investigation, may be found by Prosecutor's Office in Rome, according to the following information:

**Procura della Repubblica presso il Tribunale di Roma**

**Address: via Golametto nr. 12 (p.le Clodio) 00195 Roma**

**Penal Case: P.P. nr. 6106/2022 R.G.N.R. Noti**

**Judicial authority in charge: P.M. dott.ssa Rita CERASO**

**Email: segr.ceraso.procura.roma@giustizia.it**

12. The Italian authorities are requested to provide the Israeli authorities with the watch.
13. In addition, the Italian authorities are requested to locate and question the seller of the watch as a suspect. A list of questions is attached to this request and marked **Attachment B**.
14. In order for his statement to be admissible in an Israeli Court, in accordance with Israeli law, the suspect should be warned and advised of his right against self-incrimination, as follows:

"I, (name, rank and ID no.) hereby wish to inform you that you are suspected of Braking and Entering into a Building, Theft Under Special Circumstances and Possession of Suspect Property. You have the right to remain silent; however, refusal to answer questions can strengthen the weight of evidence against you in an Israeli court. Anything you say will be written by me and may be used against you in an Israeli court. You have the right to consult with an attorney".

15. The Italian authorities are kindly requested to provide any further assistance that may be required in this matter, in accordance with the developments in the investigation in this matter.

#### **Time Constraints**

16. The authorities of Italy are kindly requested to consider this Request at the earliest convenience.

#### **The Relevant Statutory Provisions of Israeli Law**

**Commented [EG8]** יש לישראל סמכות שיפוט על העבירה המיוחסת לחשוד - החזקת רכוש החשוד כגנוב

**Commented [CL9R8]** נדמה לי שעם תיקון העבירות והרחבתן לכלילת התפרצות וגניבה, ברור שאלו היו בסמכות השיפוט של ישראל.

17. Article 384A(b) of the Israeli Penal Law, 5737-1977 (hereinafter: "**the Penal Law**") provides that:

***Theft under special circumstances***

*384A(b) A person who commits theft a thing that is worth more than 500,000 NIS is liable to seven years imprisonment.*

18. Article 405 of the Penal Law provides that:

***Breaking, entering and housebreaking***

*405. (a) If a person breaks any external or internal part of a building, or if he opens – with a key, by pulling, pushing, lifting or in any other manner – a door, window, shutter or anything intended to close or cover an opening in a building or an opening that permits passage from one part of a building to another, then he commits breaking.*

*(b) If a person introduces any part of his body or of an instrument used by him into a building, then he commits entering.*

*(c) If a person breaks and enters or breaks and exits, then he commits housebreaking.*

*(d) If a person enters a building by a threat, by artifice or in collusion with a person in the building, or if he enters a chimney or other aperture of a building permanently left open for a particular purpose but ordinarily is not intended to be used for entry, then he is deemed to have broken and entered.*

19. Article 413 of the Penal Law provides that:

***Possession of suspect property***

*413. If a person has possession of a thing, of money, a security or another asset, in respect of which there is a reasonable suspicion that it was stolen, and if he is not able to establish to the Court's satisfaction that he acquired possession of it lawfully, then he is liable to six months imprisonment.*

**Supplementary**

20. The State of Israel will submit any additional information which the Italian Republic may require in order to enable them to accede to this request.
21. Enquiries regarding the matters set forth in this request should be directed to **Ms. Chana Leib** of the Department of International Affairs in the State Attorney's Office. **Ms. Leib** may be reached by tel. no. +972-73-3928101, fax no.: +972-2-646-7044 or by email at: [chanale@justice.gov.il](mailto:chanale@justice.gov.il).
22. The State of Israel takes this opportunity to express its appreciation to the Italian Republic for their willingness to co-operate and assist in this case and offers its assurance of reciprocal assistance.

Jerusalem, XXXX, 5782  
XXXX, 2022

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**Efrat Greenboim**  
**Director**  
**Department of International Affairs**  
**Office of the State Attorney**  
**Ministry of Justice**

**State of Israel**