Combating organized crime: mechanism for evaluating international undertakings at national level. Report

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PURPOSE : This is a report prepared in accordance with the Joint Action of 5th December 1997 on mutual evaluations in the fight against organised crime. CONTENT : The Multidisciplinary Group's first round of evaluations is on the delays in the system for mutual legal assistance and urgent requests for the seizure of assets, having particular regard to cases that involved organised crime. Six countries were evaluated between 1998 and 1999: Luxembourg, Netherlands, Ireland, Italy, Greece and Denmark. All Member States should be assessed by the end of 2000. Summaries of evaluation reports are presented as an annex to the document. The report makes several recommendations following general and specific conclusions from the evaluations. It is emphasised that the evaluation process itself was very valuable, producing a real improvement in the system of Mutual Legal Assistance, with consequent reductions in delays. Member States were open and receptive to recommendations for change and some have instituted comprehensive review programs. Seven recommendations are made in the Report; some of the key ones are as follows: - A study should be undertaken on the role of the Central Authority, perhaps within the framework of the Grotius programme. - Consideration should be given at the end of the evaluation process to a model system of record keeping and control. All Member States, subject to variation for individual requirements could use such a system. - With regard to urgent requests, work should be undertaken on the application of the term 'urgent' and the interpretation of this term. - The Dutch were particularly commended for their computerised system, and Member States should be encouraged to examine the possible development of systems based on the model in the Netherlands.