Fight against organised crime: criminal offence to participate in a criminal organisation

1997/0913(CNS) - 04/11/1997

The Committee adopted by a large majority the report by Leoluca ORLANDO (Greens, I) endorsing the draft Joint Action proposed by the Council. The aim of the Action is to make the fight against organised crime more effective. Parliament is being consulted in accordance with Article K.6 of the EU Treaty (consultation procedure, third pillar). It seeks to make it a criminal offence to participate in a criminal organization in the Member States of the EU The proposals for the measure are the fruit of the work carried out by the High Level Group appointed by the European Council in Dublin in December 1996, which drew up an action plan to combat organized crime, containing 15 policy guidelines and 30 specific recommendations. The committee wishes to extend the list of crimes and offences liable to legal action under criminal law to include money-laundering and other types of financial crime. The initial recommendation mentioned terrorism, drug trafficking and trafficking in human beings. The Committee also proposes that it should be possible to make natural persons in every Member State criminally liable, so that they have to take the consequences/accept the sanctions for the behaviour of persons for whom they are responsible. Lastly, it proposes that the EU Court of Justice be made competent to rule, by way of advance determination, on the validity and interpretation of the Joint Action.