

Fight against organized crime: tracing, seizure, confiscation of proceeds from crime

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The Committee has unanimously adopted the report by Leoluca ORLANDO (Greens, I) on the draft joint action on cooperation arrangements between Member States for "the identification, tracing, freezing or seizing and confiscation of instrumentalities and the proceeds from crime". The joint action is supposed to implement some of the recommendations of the Action Plan to Combat Organised Crime, especially the recommendation on strengthening measures for tracing and seizing illegal assets. However, the committee argues that the draft text does not contain a single practical measure to improve cooperation between Member States. It has therefore adopted 17 amendments designed to remedy this shortcoming. According to the committee, it should be spelled out in the text that requests from other Member States for legal assistance in this area must be given the same priority as domestic requests. Thus, in investigations to identify illegal assets, any Member State should have free and direct access to all information freely available in another Member State. Where investigations suggest that certain assets likely to belong to criminal organisations are located in another Member State, the investigating officer should be able to inspect public registers (such as the Land Register or the Companies Register) in another Member State without having to make a request to the criminal prosecution authorities of that State. However, says the committee, applications should still be required for any information that is not accessible to the public in another Member State.