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

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The committee adopted the report by Enrico FERRI (EPP-ED, I) on the report of the MDG on organised Crime. It called on the Council and the Member States to take all the necessary legislative and budgetary measures to remedy problems noted in the evaluation report, such as political control of letters of request (to the detriment of the possibility of direct transmission between judicial authorities), the possibility of misusing appeals as a delaying tool, the absence of an effective record-keeping and control system, inadequate human and financial resources and the adverse effect of the application of the dual criminality requirement. The committee made a number of other recommendations, including a call for Article 35 of the EU Treaty to be revised so that, in the long run, the European Court of Justice would have the power to decide whether Member States were complying with their obligations under conventions, agreements and European law. It also called for an EU Public Prosecutor's Office to be set up, for the creation of a centralised documentation instrument containing the relevant legislation on judicial cooperation and for a European electronic register of final decisions and orders issued in criminal matters. The committee urged the Council to consider indirect sanctions against Member States which did not comply with the principles of loyalty and efficiency in judicial assistance in criminal matters. More generally, pending the harmonisation of criminal laws, it called on the Member States to guarantee the greatest possible degree of practical mutual cooperation between judicial authorities.