Money laundering: implementation of the directive 91/308/EEC. 2nd report

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PURPOSE: to present a second Commission report on the implementation of the Money Laundering Directive. CONTENT: this document constitutes the second Commission report to the Council and the European Parliament on the implementation of the 1991 Money Laundering Directive (91/308/EEC). Given the global nature of this problem, this report first seeks to situate the EU's anti-money laundering effort within the wider international context. It thus reports on the efforts undertaken to spread the message to third countries and also records th considerable progress made in the ratification of the two major international money laundering conventions (Vienna and Strasbourg). The basic situation as regards implementation of the Directive is very satisfactory. All of the Member States have implemented the Directive in their national legislation and only one infringement procedure is currently open. The report notes the excellent progress made by all the Member States towards the criminalisation of the laundering of the proceeds of a much wider range of serious offences. It examines the efforts to combat money laundering via bureaux de change and other, possibly unregulated, financial activities. It also notes progress in the range of non-financial activities made subject to Member States' money laundering legislation and considers the question of the application of anti-money laundering measures to certain non-financial professions, and in particular the legal professions. The report considers the ongoing work in various fora to improve the cooperation and exchange of information between the various authorities concerned with money laundering. In response to requests from the Parliament, the Commission also reports on current trends in the techniques used by money launderers and on the work now being undertaken in other fora into the macroeconomic effects of money laundering. The report also attempts to provide some initial data on the results of the anti-money laundering effort. These show that suspicious transaction reports are being made in every Member State. The numbers of reported prosecutions and convictions are much lower. Similarly, the amounts of money confiscated appear to be small. Lastly, the report concludes that it would now be appropriate to update and extend the Directive in line with the wishes of the Parliament and the recommendations of the Action plan on organised crime.