Fight against organized crime: a European action plan

1997/2091(COS) - 20/11/1997 - Text adopted by Parliament, single reading

In adopting the report by Mrs Charlotte CEDERSCHIÖLD (PPE, S) on the action plan to combat organized crime, the European Parliament calls for the Union to pay close attention to the fight against organized crime and take comprehensive and coordinated measures based on the principles of democracy and respect for human rights, given the scope of the problem. It therefore: - calls on the Council to ratify, no later than the end of 1998, all the conventions and other binding legal acts which provide for measures to combat organized crime, - calls on the Commission to take the necessary measures to implement the recommendations resulting from the action plan by exercising the right of initiative vested in it by the Amsterdam Treaty in this respect, - calls on the applicant countries to participate fully in the planned measures. Parliament believes that the creation of the European judicial area must go hand-in-hand with the establishing of a European area for the rights of the defence and procedural guarantees, particularly with regard to extradition. On a general note, Parliament regrets that the action plan has been drawn up without its being consulted pursuant to Article K.6 of the Treaty. Whilst welcoming the political guidelines and the timetable of measures to be implemented, it draws attention to certain gaps in the choice of measures. In particular, it considers that the Council has ignored crucial issues while devoting attention to items of lesser importance. More specifically, it regrets the fact that the Council does not address the question of whether, in future, organized crime should be combated by harmonizing the definitions of major criminal offences and the provisions relating to criminal procedure, or by improving cooperation. Parliament regrets the fact that certain Member States continue to express reservations on grounds of sovereignty and proposes giving priority to improving cooperation between Member States in all fields in which cooperation is possible (quoting as an example the very effective Nordic cooperation on the harmonization of computer systems for the police, courts, customs and coastguards). In particular, it proposes that Member States should aim for harmonization in all areas in which cooperation has not produced satisfactory results and advocates the gradual approximation of the criminal justice systems in the Member States by setting minimum standards. Regarding the recommendations proper, it calls for: - a common definition of the concept of organized crime; - full involvement of applicant countries in Community measures to combat organized crime; - inclusion of Belarus among the countries with which the Union must cooperate; - exclusion from Member State and EU tendering procedures of persons who have committed offences linked with organized crime; - use of the Structural Funds to reinforce judicial bodies and law enforcement agencies (especially in less urbanized areas); - incorporation of the Europol budget into the Community budget; - reinforcement of cooperation between Member States and the Commission's Anti-Fraud Unit (UCLAF); - development of codes of conduct for certain 'threatened' professions such as notaries, lawyers, accountants and auditors; - a study of high-technology crime; - inclusion in international agreements of appropriate provisions relating to delays in implementing letters rogatory; - approximation of Member States' legislation on interference with fundamental rights where different definitions hinder efficient cross-border investigations; - approximation of legislation concerning evidence, offences, etc. Parliament also draws attention to gaps in the programme concerning civil society as a basic instrument in the fight against organized crime and advocates measures to promote education on the concept of legality. Finally, it calls for the establishing of appropriate surveillance systems for modern communication methods and the preparation of measures relating to special investigation methods, which must be strictly confined to the needs of inquiries in order to prevent the misuse of this type of investigation.