Basic information

1997/0913(CNS) CNS - Consultation procedure	Procedure completed
Fight against organised crime: criminal offence to participate in a criminal organisation Repealed by 2005/0003(CNS) **Subject** 7.30.30 Action to combat crime	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
LIBE Civil Liberties and Internal Affairs	ORLANDO Leoluca (V)	15/09/1997

Committee for opinion	Rapporteur for opinion	Appointed
JURI Legal Affairs, Citizens' Rights	The committee decided not to give an opinion.	

Council of the European Union

Council configuration	Meetings	Date
Justice and Home Affairs (JHA)	2146	1998-12-03
Environment	2153	1998-12-21

Key events

Date	Event	Reference	Summary
08/09/1997	Legislative proposal published	10407/1997	Summary
01/10/1997	Committee referral announced in Parliament		
04/11/1997	Vote in committee		Summary
04/11/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0349/1997	
20/11/1997	Debate in Parliament		
03/12/1998	Debate in Council		
21/12/1998	Act adopted by Council after consultation of Parliament		
21/12/1998	End of procedure in Parliament		
29/12/1998	Final act published in Official Journal		

Technical information	
Procedure reference	1997/0913(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Amendments and repeals	Repealed by 2005/0003(CNS)
Legal basis	Treaty on European Union (after Amsterdam) M K.3-p2
Stage reached in procedure	Procedure completed
Committee dossier	LIBE/4/09312

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0349/1997 OJ C 371 08.12.1997, p. 0003	04/11/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0574/1997 OJ C 371 08.12.1997, p. 0165-0204	20/11/1997	Summary

Council of the EU

Document type	Reference	Date	Summary
Legislative proposal	10407/1997	08/09/1997	Summary

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Justice and Home Affairs act 1998/0733
OJ L 351 29.12.1998, p. 0001-0003

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

1997/0913(CNS) - 20/11/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Leoluca ORLANDO (V, I), the European Parliament has approved the draft joint action, subject to amendments designed to render the fight against criminal organizations more effective. Parliament calls on all Member States to agree on a common interpretation of the

concept of 'criminal organization' and undertakes to ensure effective judicial cooperation in connection with offences punishable in the Union by criminal penalties. Parliament defines a criminal organization as an association of more than two persons acting in concert to commit crimes or other offences, in particular drug trafficking, trafficking in human beings, money laundering and other forms of financial crime, including financial fraud via the Internet or by way of electronic banking services, financial investments, extra-territorial privileges or tax fraud such as organized VAT and customs-duty fraud, terrorism, threat, violence, corruption, etc., or enlisting the support or protection of persons associated with important institutions to conceal or facilitate such offences. Parliament considers that the penalties for participation in the activities of a criminal organization should be at least three years. Finally, Parliament emphasizes the need to strengthen cooperation between countries applying for accession and the European Union's transatlantic partners in this field.

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

1997/0913(CNS) - 08/09/1997 - Legislative proposal

OBJECTIVE. Presentation of a draft joint action on the basis of Article K.3 of the Treaty on European Union making it a criminal offence to participate in a criminal organization in the Member States of the European Union. SUBSTANCE. Given the serious nature and the development of certain forms of international organized crime, Member States decided to adopt a common approach regarding participation in the activities of criminal organizations under this draft joint action, each Member State will undertake to ensure effective cooperation regarding offences related to participation in the activities of a criminal organization and ensure that penal sanctions are applied in such cases. The offences concerned relate to terrorism, drugs trafficking or other acts of violence constituting a danger to the public at large. The draft gives a definition of 'criminal organization', leaving Member States full discretion to decide how to enforce penalties under national law. Member States are required to take steps to implement the joint action within one year from its entry into force, failing which they must at least cooperate with other Member States in this area.