Combating crime: money laundering, confiscation of instrumentalities and proceeds. Framework Decision. Initiative France

2000/0814(CNS) - 24/10/2000 - ${summary.subTitle}

The committee adopted the report by Luis MARINHO amending the initiative under the consultation procedure. The report was critical of the fact that only part of the substance of the Joint Action of 3 December 1998 (98/699/JAI) had been transposed into the Framework Decision, with the remaining part still in force. The committee therefore added to the appropriate parts of the Decision the relevant remaining text of the Joint Action (relating to best practice in international cooperation in this area, the preparation of a guide specifying the type of assistance which can be provided and any restrictions thereon, and direct contact between investigators, investigating magistrates and prosecutors of Member States) so as to avoid two overlapping pieces of legislation with differing legal status. It therefore proposed that the entire joint action then be repealed. The committee also adopted a number of amendments seeking to ensure that the fight against money laundering was not restricted exclusively to cases where the proceeeds to be laundered were derived from serious offences, since this would leave an unjustifiably wide margin of criminal impunity.?