NOTE
from: Presidency

to: COREPER/Council

Subject: Conclusions of the seminar on the laundering of the proceeds from organised crime in Europe (Paris, 13 to 15 September 2000)

Delegations will find attached the Presidency's conclusions following the seminar on the laundering of the proceeds from organised crime in Europe which was held in Paris from 13 to 15 September 2000.

The Permanent Representatives Committee is requested to invite the Justice and Home Affairs Ministers to take note of these conclusions.

ANNEX

CONCLUSIONS OF THE SEMINAR
ON THE LAUNDERING OF THE PROCEEDS FROM ORGANISED CRIME IN EUROPE
Following the discussions a number of recommendations can be made concerning both preventive and enforcement action.

1. **Preventive action**

In order to optimise analysis and detection as early as possible upstream of the money laundering cycle, there needs to be a strengthening of the partnership with all the administrative, private, banking and financial players and with all those who are professionally concerned, directly or indirectly, with carrying out transactions relating to assets and liabilities.

In practical terms, this partnership could involve the introduction at national and European level of an expert multidisciplinary unit bringing together the various players mentioned above so as to increase the capacity for the analysis of money laundering and hence develop the most appropriate strategy for dealing with it.

Training is another essential factor here. It must be given to the greatest possible number in accordance with criteria based on the operational follow-up to police and judicial activity. It also needs to draw on academic research and the experience gained by all the players involved in the fight against the laundering of "dirty" money.

The multidisciplinary nature of such training must reflect the multifaceted reality of organised crime.
The European intermediaries – EUROPOL, and soon the European Police College – will have to be approached in this connection with a view to extending current and future work at national and international level.

Effective prevention in terms of detection and analysis depends on the existence or the setting up of a central structure with the dual advantage of bringing together all the public service players involved in the fight against money laundering (police, customs, taxation and treasury) and also private-sector players from the financial and banking institutions.

2. Enforcement action

The central unit mentioned above in the section concerning prevention needs to play an effective part in the operational activities of the law enforcement agencies.

Being the essential link between prevention and enforcement, the unit is in a position to provide a national/international interface. However, the achievement of operational effectiveness requires sufficient numbers of qualified staff. It was noted that the numbers assigned to this task are somewhat inadequate.

While the means for combating money laundering are plentiful, they are too often under-utilised for lack of staff.

Since organised crime has no regard for borders, ways of countering it have been introduced through international structures for police and judicial cooperation: INTERPOL, EUROPOL, SCHENGEN, liaison officers, not to mention personal and bilateral contacts. An important factor for success is the trust between those involved in the fight against money laundering, especially at the international level.
Today's operational services therefore need to be fully aware of the means that are available, and of their potential.

Likewise, the new information and communication technologies, especially the Internet, pose a trans-national challenge that calls for an operational response. This clearly entails setting up specialist police structures for detecting and acting to counter any financial malpractice carried on via these new vectors of communication.

These considerations point to the need to adopt common standards, both national and international, in order to increase the operational effectiveness of the fight against money laundering, which is what the current revision of various European instruments is actually concerned to promote.

Among other things, this adjustment involves:

- the lifting of banking secrecy, which must no longer be allowed to paralyse criminal investigations: the traceability of financial flows is a crucial factor in their success or failure;
- extending action to counter money laundering to crimes other than trafficking in narcotics;
- developing undercover operations; here too, the aim is to engage with the realities of organised crime and so increase our operational capacities. In this area it is important for undercover operations to be coordinated at national level, taking over where necessary from other European structures, and with the full involvement of the judicial authorities in each of the States concerned.
The key points emerging from the seminar may be summarised as follows:

To improve detection and analysis:

- an appropriate partnership must be developed
- the players involved must be informed and trained
- multidisciplinary central units must be established
- European instruments such as Europol and the European Police College must be developed

To improve action to counter money laundering:

- full advantage must be taken of the central units' possibilities
- the operational services must be provided with sufficient numbers of specialist staff
- the utilisation of existing international structures must be developed
- structural and legislative adjustments must be made in the light of the new information and communication technologies
- the harmonisation of standards must be increased within a national and an international context