



# Legal Instruments and Technical Tools against Organized Crime

## Confiscation Today and Tomorrow

6<sup>th</sup> – 7<sup>th</sup> February - Meeting room Atlantic at Hotel Pestana - Stülerstraße 6,  
10787 Berlin

- As far as legal instruments are concerned, more efforts should be addressed towards the reinforcement of the legal framework. Given that German Law does not include specific distinctions between common definition of organized crime and Mafia association, as provided in the Italian Law, it is difficult to obtain definite information on organized crime and consequently to collect and evaluate data on organized crime investments.
- One of the main problems in Germany remains the low level of knowledge of specific form of organized crime. The efforts seem to be addressed more to other types of criminality.
- Germany is a financial center strategically located in the heart of Europe. Its economy is large and it has strong international linkages. Can we expect its criminal economy to have similar traits? Germany may have a higher risk profile for large scale money laundering.
- The problem related to data protection represents an obstacle in the struggle against organized crime. For instance, the extent of information available on the ownership and control of German legal persons varies according to the type of legal entity. The main sources of information are public registers, but they do not always include information on the beneficial ownership and control of the legal entities. Organized crime groups use different devices to

hide their identity (e.g. figureheads), which, too, makes it difficult to trace criminal assets.

- A pan-european access to corporate registers for public prosecutors and security authorities would be useful to tackle organized crime investments. With the situation given, it is almost impossible to tackle investments in an effective way.