

Guest Editorial eucrim 4/2012



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Editorial

EDITORIAL

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Dear Readers,

I am very pleased to introduce this issue of *eucrim*, devoted to the fight against organised crime – a very complex criminal phenomenon covering a wide range of serious offences threatening the security and fundamental rights of EU citizens, the proper functioning of business and public institutions, and the solvency of the economy and financial markets.

To tackle organised crime and bring criminals to justice, competent authorities of Member States and EU agencies need to work together, align their actions, and ensure complementarity. Eurojust's core tasks, ensuring proper cooperation and coordination, contribute to these goals, resulting in swiftly executed MLA requests, simultaneous execution of EAWs, and the setting up of Joint Investigation Teams. Eurojust's coordination meetings and operational coordination centres bring together both law enforcement and judicial authorities, allowing streamlined, immediate, and targeted action to dismantle organised criminal networks and convict the criminals involved.

In a case concerning Bulgaria and Greece, coordination meetings organised by Eurojust led to identification of a criminal network's members operating in both Member States and ensured their simultaneous detention in Greece through execution of EAWs issued by the competent Bulgarian authorities. As a result, the victims, pregnant Bulgarian women forced to travel to Greece to give up their newborn babies to Greek couples for adoption, were freed, and their testimonies were used as evidence before the Greek court.

Two goals of Eurojust's action plan against trafficking in human beings 2012-2016 are to increase the number of investigations and prosecutions of THB cases and to enhance judicial cooperation in this area.

Freezing and confiscation of proceeds of crime are essential tools in the fight against organised crime. Efficient recovery of criminal assets is indispensable to prevent and combat money laundering activities, the financing of other criminal activities, and infiltration of the common market. However, experience shows that international judicial cooperation in these areas is often hampered by differences between legal systems and the unsatisfactory implementation of EU instruments. The need for common instruments applicable in all Member States and further harmonisation of substantive criminal law is evident. In addition, a multidisciplinary approach amongst police as well as administrative and judicial authorities is required.

Protecting the EU's financial interests, especially in times of economic crisis, is a clear priority. In this context, the Lisbon Treaty creates new opportunities. It provides the possibility for Eurojust to strengthen judicial cooperation by resolving conflicts of jurisdiction and having the competence to initiate criminal investigations. Subsequently, it opens the door for a European Public Prosecutor's Office "from Eurojust," fostering the further development of a European area of freedom, security and justice.

Increasing information flow and strengthening ties with the national authorities in the Member States are both key elements for efficient cooperation and an effective fight against organised crime. The 2008 Council Decision on Eurojust has responded to these needs by establishing Eurojust National Coordination Systems in the Member States, enabling the detection of links between organised crime cases. The need for close cooperation equally applies with regard to non-EU Member States, as organised crime does not stop at the EU borders.

Organised criminals stick together, are driven by profit, and are proficient in creatively bypassing law enforcement and judicial efforts. Hence, if we want to be effective in our fight, we need to work together in going after their money and should be creative in doing so as well.

Enjoy your reading of this issue of *eucrim*.

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eucrim is the leading journal serving as a European forum for insight and debate on criminal and “criministralive” law. For over 20 years, it has brought together practitioners, academics, and policymakers to exchange ideas and shape the future of European justice. From its inception, *eucrim* has placed focus on the protection of the EU’s financial interests – a key driver of European integration in “criministralive” justice policy.

Editorially reviewed articles published in English, French, or German, are complemented by timely news and analysis of legal and policy developments across Europe.

All content is freely accessible at <https://eucrim.eu>, with four online and print issues published annually.

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