



**COUNCIL OF
THE EUROPEAN UNION**



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Informal agreement on the freezing and confiscation of proceeds of crime in the EU

The Permanent Representatives Committee¹ today endorsed the agreement reached with the European Parliament on 27 November on the text of the directive on the freezing and confiscation of proceeds of crime in the EU ([16861/13](#) + [ADD1](#)).

The directive aims to make it easier for national authorities to confiscate and recover the profits made by criminals from cross-border and organised crime. The directive provides more possibilities for confiscating proceeds of crime in cases of the flight of the person concerned or illness (when it is impossible for the suspect or accused person to attend the criminal proceedings for a longer period of time, meaning that the proceedings cannot continue under normal conditions). It also provides for rules on extended powers of confiscation, thus making confiscation easier when a judge is convinced that the property in question has been obtained through crime. The rules on confiscation from a third party have been harmonised and extensive safeguards have been put in place. Member states should also consider taking measures allowing confiscated property to be used in the public interest or for social purposes.

The Commission presented its proposal in March 2012 ([7641/12](#)). The Stockholm Programme ([5731/10](#)) called on the Commission and the member states to make the confiscation of criminal assets more efficient and to strengthen cooperation between asset recovery offices. The Council adopted in June 2010 a set of conclusions ([7769/3/10](#)) on Confiscation and Asset Recovery aimed at achieving a more effective and widespread confiscation of criminal assets.

The directive will be formally adopted in the coming months after confirmation by the plenary of the European Parliament, as well as linguistic revision of the text.

¹ The Permanent Representatives Committee is composed of the ambassadors of the 28 EU member states. Its role is to prepare decisions of the Council.

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