



Crackdown on criminals who distribute counterfeit euro notes and coins

Committees Committee on Civil Liberties, Justice and Home Affairs [17-12-2013 - 12:27]

Distributors of fake euro or other currencies could face tougher penalties under a draft EU law voted in the Civil Liberties Committee on Tuesday. It would require EU countries to set a maximum penalty of no less than eight years in jail for distributors – the same as for forgers - and also allow police to use serious-crime tools, such as intercepting communications, to catch the culprits. Fake euro have cost citizens and firms over €500 million since they came into general use in 2002.

The euro is one of the three most-used currencies worldwide, making it a target for organised crime groups which specialise in forging money. Innocent citizens and firms currently bear the costs of fake euro, because they are not reimbursed.

"Counterfeiting of any currency should be taken as a very serious crime. We all want to see this crime vigorously prosecuted in every country", said rapporteur Anthea McIntyre (ECR, UK) in a debate in committee.

Since 2000, the maximum penalty set by EU law for currency forgers has been no less than eight years' imprisonment. The new draft law would extend this rule to include fake currency distributors.

Better investigative tools

Police officers and prosecutors working on currency counterfeiting cases should be able to use investigative tools already used to combat other serious crimes, says the proposal. These tools include intercepting communications, covert surveillance and the monitoring of bank accounts.

MEPs reject minimum penalties

Some EU member states currently have no minimum penalties in place for distributing forged euro or other currencies and some impose only fines, whereas others foresee a minimum of ten years' imprisonment.

MEPs rejected a European Commission proposal to introduce a minimum EU-wide penalty of at least six months' imprisonment for serious cases of producing or distributing counterfeit currency. "Given the substantial disparities between member states the danger exists that the introduction of minimum penalties for counterfeiting the euro and other currencies might lead to lack of uniformity regarding minimum penalties within one and the same national legal system", they say. These offences must be punishable under national law by a maximum penalty of at least eight years of imprisonment, states the committee.

Member states should have the possibility to impose a short term of imprisonment or to refrain from imprisonment in cases where the total potential or nominal value of the counterfeited notes and coins is not significant or does not involve particularly serious circumstances, it adds.

€200 and €500 banknotes - are they justified?

A report on whether issuing €200 and €500 banknotes is justified, given the risks of counterfeiting and money laundering, must be tabled by the European Central Bank, in consultation with the Commission, one year after the directive takes effect, say MEPs. If necessary, this report must be accompanied by a proposal for a decision, they add.

Press release

Next steps

The committee vote gives the rapporteur a mandate to start negotiating an agreement with the Council of Ministers. The EU law will be taken up in Ireland, but not in the UK or Denmark.

Result of the vote on the mandate to open negotiations with the Council: 46 votes in favour, none against and two abstentions

In the chair: Kinga Gál (EPP, HU)

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