

The Role of Asset Recovery in Combatting Organized Crime

Authors : Tamas Bezsenyi, Noemi Katona

Abstract : Fighting Human Trafficking is a highly important issue worldwide that states need to deal with in international politics. In the EU combatting human trafficking is emphasized in international policy making and also in the work of international law enforcement, thus in the work of the EUROPOL. While the EU Directive against Human Trafficking prescribes how states should fight this transnational crime and also how victims should be assisted, the EUROPOL focuses on the effective cooperation between national law enforcement agencies. However, despite the aims of the common fight, human trafficking is regulated differently in the punitive law of various nation states. This deeply defines the work and possibilities of national law enforcement organizations. Among the manifold differences in this paper, we focus on the role of regulating asset recovery. We highlight that money, and the regulation and practice how the law enforcement deals with income gained from criminal activities, play essential role in combatting human trafficking. While doing research on the investigation of transnational human trafficking by the Hungarian Law Enforcement Agencies, we have found that the unfortunate regulation of asset recovery determines the lower effectiveness of eliminating criminal organizations. While i.e. in the Netherlands confiscation of property takes place in an early stage of the criminal procedure, in Hungary it can be conducted only if money laundering is also assumed. Our presentation builds on the comparison of criminal procedures which we analyse based on criminal files and interviews with coworkers of the National Bureau of Investigation.

Keywords : human trafficking, law enforcement, asset recovery, organized crime

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