

For a few years now, the mechanisms of "freezing" and "blocking" assets originating from crimes has been one of the European Union's priorities. The system for fighting illegal wealth is considered to be one of the main mechanisms for guaranteeing citizens' safety. It is necessary to think that legislation on the seizure and confiscation of illegal assets has undergone considerable changes in recent years. On May 3rd 2000 The European Community Official Gazette published an important document on "the European Union strategy for the beginning of the new millennium for the prevention and control of organised crime". It maintained that "the main motive for a large part of organised crime is the financial benefit. Prevention and control that are effective against organised crime must, therefore, hinge themselves on tracing and freezing, seizing and confiscating the proceeds of crime." Therefore, nowadays, penal law tends to guarantee solely assets acquired legally and to pursue illegally acquired assets through various institutions (consider the confiscations as set out in article 12 sexies L. 356/92). Also, the recent law against transnational crime has aligned Italian legislation with international principles expressed on the matter by various conventions. The law-making body has acknowledged that the only way to effectively fight organised crime is to fight assets.

It therefore appears to be appropriate to proceed with an assessment of all the legal institutions, substantial and trial law that allow illegal assets to be attacked as a privileged form of the fight against crime and with a comparison of these legal institutions that are appointed to reveal, block and acquire illegal assets in the various European countries.