

FORM FOR TABLING A QUESTION FOR
WRITTEN ANSWER (Rule 130)**Select only one addressee:**

PRESIDENT OF THE EUROPEAN COUNCIL

COUNCIL

VICE-PRESIDENT / HIGH REPRESENTATIVE

COMMISSION

Priority question

AUTHOR(S): Sven GIEGOLD

SUBJECT: Non-fonctioning of the Financial Intelligence Unit in Germany
(please specify)

TEXT:

On 26 June 2017, Germany transferred the responsibility for its Financial Intelligence Unit (FIU) from the Federal Criminal Police Office to the General Directorate of Customs. Since then, German media repeatedly reported about the non-functioning of the FIU constituting a clear violation of Article 32 of the 4th Anti-Money Laundering Directive (Directive (EU) 2015/849) stating: "1. Each Member State shall establish an FIU in order to prevent, detect and effectively combat money laundering and terrorist financing", "2. (...) Member States shall provide their FIUs with adequate financial, human and technical resources in order to fulfil their tasks" and "4. Member States shall ensure that their FIUs have access, directly or indirectly, in a timely manner, to the financial, administrative and law enforcement information that they require to fulfil their tasks properly."

The disastrous state of the German FIU is said to pose a significant risk to European and national security. Given the obvious non-fonctioning of the German FIU: Which measures has the EU Commission taken to make Germany comply with its obligations under EU anti-money laundering legislation? Furthermore, does the Commission intend to start the process towards an infringement procedure for breaching obligations under the 4th AMLD, in particular Article 32?

Signature(s):

Date: 15/10/2018

