Abstract
The change in the characteristics of delinquency from a perspective of classic criminal law to globalized criminal law has required a change in institutional responses to it.; in that sense, more than in just the restriction of the individual freedom, the emphasis has been placed on in the pursuit of the patrimonial benefits obtained through the criminal activity. It has moved into the area of recovery and reconceptualization of property subject to forfeit. This requires an examination of the use and effectiveness of preventative or precautionary measures. In regard to the last point, it is the object of this article, when examining the Colombian law on the matter, to contrast it with that of the Spanish law, and to evaluate their effectiveness as a tool of state criminal policy.

Keywords
Forfeit, precautionary measure, organized delinquency.