Fight against organised crime. Framework Decision

2005/0003(CNS) - 12/06/2007

The Council adopted a series of conclusions setting out the EU priorities for the fight against organised crime based on Europol's 2007 organised crime threat assessment.

Definition of EU priorities to fight organised crime: the Europol Organised Crime Threat Assessment (OCTA) 2007 builds on the assessment of current and expected trends in organised crime (OC) across the EU initiated under the OCTA process in 2006. The findings and conclusions of the OCTA 2007 should therefore be taken into account in national priorities but should also be implemented through enhanced cooperation between Member States, in particular those with shared (regional) problems.

The Council restates its conviction that the fight against organised crime should focus on reducing the threat and the harm caused by it and, in particular, on tackling:

- the obstacles to dismantling OC groups stemming from to their international dimension or influence;
- the level of infiltration of OC into society (inter alia, in the public administration and the economy), especially the misuse of legitimate business structures (and the transport sector in particular);
- the misuse of technology by OC groups;
- The Council finds that based on the OCTA 2007 the following criminal markets should be EU priorities for 2007:
- drug trafficking, especially in synthetic drugs;
- smuggling and trafficking in human beings, especially linked to illegal immigration;
- fraud, especially in the area of highly taxed goods and Value Added Tax carousels;
- Euro counterfeiting;
- commodity counterfeiting and intellectual property theft;
- money laundering.

The priorities set out above have to be understood as areas in which the EU, through its Member States, institutions and bodies, should (increasingly) coordinate and enhance its action, which should be reactive, but also preventive and proactive. Together, these concerted activities will ensure an in-depth understanding and provide tools for enhanced targeting of OC impacting on the EU.

Law enforcement action, in particular investigations and prosecutions, should, where possible, mainly focus on the upper levels of the organised crime groups, including logistics, financing, assets and those who facilitate the activities of the criminal organisation. Member States are, therefore, invited to increase their efforts in the financial aspects of investigations and prosecutions, for example as regards the seizure of assets.

For Member States to mutually benefit from one another's efforts, more information on the outcomes of and difficulties in such investigations and prosecutions should be communicated at an early stage to Europol, Eurojust or OLAF, so that a stronger EU position can be taken.

Successful law enforcement action against organised crime should focus on facilitating factors (such as document forgery, technology, and the misuse of legitimate business structures, black markets and, in particular, of the transport sector). Enhanced cooperation with the private sector is therefore required, both for establishing preventive mechanisms (through consultation on regulations, products, and the use of technology) and with a view to improving crime detection and investigation.

The Council gives an outline of how the EU priorities should be implemented as well as the methodology used which are detailed in a separate annex.