Fight against organised crime: criminal offence to participate in a criminal organisation

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OBJECTIVE. Presentation of a draft joint action on the basis of Article K.3 of the Treaty on European Union making it a criminal offence to participate in a criminal organization in the Member States of the European Union. SUBSTANCE. Given the serious nature and the development of certain forms of international organized crime, Member States decided to adopt a common approach regarding participation in the activities of criminal organizations under this draft joint action, each Member State will undertake to ensure effective cooperation regarding offences related to participation in the activities of a criminal organization and ensure that penal sanctions are applied in such cases. The offences concerned relate to terrorism, drugs trafficking or other acts of violence constituting a danger to the public at large. The draft gives a definition of 'criminal organization', leaving Member States full discretion to decide how to enforce penalties under national law. Member States are required to take steps to implement the joint action within one year from its entry into force, failing which they must at least cooperate with other Member States in this area.