

Fight against organized crime - a strategy to stimulate cooperation in the EU

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Abstract: *Transnational organized crime has become a major topic on the agenda of international institutions. The mobilization of the international community has led to an impressive number of institutional responses to what has been described as a global challenge. The fight against organized crime focuses on strengthening police and judicial cooperation, addressing criminal structures and priority forms of crime, eliminating the profits generated by crime and implementing modern means of action in the face of technological developments. Organized criminal groups continue to grow and evolve, as evidenced by the growing number of counterfeit medical products and online crime, which shows that these groups have adapted rapidly to the Covid-19 pandemic. Organized criminal groups active in Europe are involved in a range of criminal activities dominated by drug trafficking, organized crime against property, fraud, migrant smuggling and trafficking in human beings. The strategy proposes tools and measures that will be used over the next five years to disrupt the business models and structures of criminal organizations beyond borders, both online and offline.*

Key Words: *organized crime, strategy, crime, cooperation, investigation.*

JEL Classification: *K42.*

Introduction

The main objective of this article is to get to a tinted reflection on the multiple ways in which organized crime is represented to us. Activities often associated with organized crime are among the most severely prosecuted and, at the same time, most socially supported (by the dynamics between supply and demand or by overlapping within or outside the law). The scale of the phenomenon in the people’s imagination and the lack of knowledge on these various issues place us at the beginning of the learning and research process. Therefore, this article is designed to introduce readers to topics that are generally associated with organized crime, as well as to make them aware of the nuances needed to approach research in this field.

Research methodology

The reason for using qualitative research is that, in my experience, experimental research or quantitative research is not at all appropriate to the type of approach characteristic of professionalization research and requires an investment or a sample that is prohibitive in such a context. The projections I am going to present, however, have the advantage both of taking into account what is being achieved in general, as strategies for the cooperation between EU Member States in the fight against organized crime, and of taking into account the particular context, which is of a "evidence" approach type. This research starts from a well-defined initial issue, which goes through a brief review of recent writings and materials on this topic and leads to relatively original research questions, even if at local level.

The study of the documents was carried out, which consisted of doing research by analyzing the documents in order to better understand the subject to be researched.

The usefulness of this type of essay is to provide the reader with a wide range of strategies for doing cooperative education, integrating the competency-based approach, evaluating what has been achieved so far, the most appropriate method of analysis for this type of essay being the thematic analysis, but it is possible to approach the analytical works using categories.

Results

Criminal organizations are increasingly using new technologies and using every opportunity to carry out their illegal activities, online or offline. Recent iconic cases have highlighted the level of development of these organized crime networks. This demonstrates the importance of efforts to fight organized crime beyond borders. The strategy presented today will help to hit these criminals in the most sensitive place, by undermining their economic model that feeds on the lack of coordination between states.

The fight against organized criminal groups must be intensified. They are one of the biggest threats to our security. They have very professional and transnational organizations, with 70% of criminal groups active in more than three member states. They quickly adapted to the pandemic, moving their business online and selling counterfeit or non-existent medicine. The measures consist of occasional police cooperation with permanent police partnerships and the identification of ways in which money can be used to arrest criminals in the context of financial investigations.

The strategy seeks to:

- Strengthening police and judicial cooperation: given that 65% of active crime groups in the EU have members from more than one nationality, it is essential to promote the effective exchange of information between law enforcement and EU judicial authorities in order to effectively fight against organized crime. The Commission will extend, modernize and strengthen the funding of the European Multidisciplinary Platform against Criminal Threats, a structure which, since 2010, brings together all

competent European and national authorities to identify priority criminal threats and take collective action against them. The commission will propose modernization of Prüm framework, which allows for the exchange of information on DNA, fingerprints and vehicle registration. To ensure that EU law enforcement authorities can better cooperate in modern regulation, the Commission will propose an EU Code of Police Cooperation, which will unify the current system of instruments and EU multilateral cooperation agreements. Achieving the 2023 goal of making security information systems, border management and interoperable migration will help law enforcement agencies better detect and better combat identity fraud, which is often used by criminals. Finally, in order to better combat criminal networks operating at international level, the Commission is still proposing to open negotiations on a cooperation agreement with Interpol.

- supporting more efficient investigations to disrupt organized crime structures and target specific and high-priority forms of crime: EU cooperation needs to be stepped up to dismantle organized crime structures. In order to provide an effective response to certain forms of crime, the Commission will propose a reform of EU rules on combating environmental crime and set up a European toolkit to combat counterfeiting, especially in the medical field. It will present measures to combat the illicit trade in cultural goods.
- ensuring that organized crime does not pay: over 60% of active criminal networks in the EU are involved in corruption and over 80% of them use legitim companies to hide their activities, while only 1% of criminal assets are confiscated. Fighting organized crime funds is key to exposing, punishing and deterring crime. The Commission will propose revising EU rules on confiscation of organized crime goods, developing EU rules on combating money laundering, promoting the speedy opening of financial investigations and assessing existing EU anti-corruption rules. This will also help prevent infiltrating in the legal economy.
- adapting law enforcement and the justice to the digital age: criminals communicate and commit crimes online and thus leave digital traces. With 80% of crimes having a digital component, law enforcement and justice need quick access to digital evidence and clues. They must also use new technologies and be equipped with the tools and skills to keep up with the new ways of operating criminals. The Commission will analyze and define possible approaches to data retention and propose a way to address legal and targeted access to encrypted information for investigations and prosecutions, while protecting the security and confidentiality of communications. The Commission will also work with relevant EU agencies to provide national authorities with the tools, knowledge and operational expertise to conduct digital investigations.

Among the types of organized crime, we list:

1. **High-risk criminal networks**

In the EU, 43% of organized crime groups are structured around a hard core, 40% are hierarchically structured and 17% are informal networks.

It is therefore essential to step up the dismantling of organized crime structures and to target both the groups that pose the greatest risk to Europe's security and those at the highest levels of criminal organizations. EU action against high-risk criminal networks focuses in particular on groups that use:

- Corruption
- acts of violence
- firearms
- money laundering

2. **Cyber attacks**

Cybercrime generally targets computers, networks, or other forms of information and communication technology (ICT), including, for example, the creation and dissemination of malicious software, hacking of sensitive data, or denial of service attacks cause financial and / or reputational damage.

Cyber-attacks and cybercrime are increasing both in number and level of complexity across Europe. This trend is expected to continue in the future, as 22.3 billion devices worldwide are expected to be connected to the Internet by 2024.

The EU intends to strengthen its measures against cybercrime, in particular by targeting cybercriminals, which provide specialized online criminal services.

3. **Human trafficking**

Human Trafficking beings is a serious crime, which is a violation of fundamental human rights. Its purpose is to exploit vulnerable people for the sole purpose of making an economical profit.

Sexual exploitation is the most common form of human trafficking in the EU (59%), followed by labor exploitation (21%), forced crime (10%), forced beggary, forced marriages and domestic servitude.

The EU has taken several measures to prevent trafficking in human beings, convict criminals and protect victims.

Prohibition of slavery and forced labor:

- No one can be held in slavery.
- No one may be compelled to perform forced or compulsory labor
- Trafficking in human beings is prohibited

However, further efforts are needed to eradicate criminal networks involved in trafficking in human beings, in particular criminals who exploit or use or threaten to commit violence against victims and their families.

4. **Sexual exploitation of children**

The number of cases of online child exploitation has steadily increased in recent years and has increased even more during the COVID-19 pandemic.

Accelerated technological innovation and the widespread and growing accessibility of TIC s offer new opportunities for criminals to abuse and exploit children. The reporting of such crimes is largely inadequate and, unfortunately, many victims are never identified.

The EU intends to fight child abuse, both online and offline, in particular with regard to the production and distribution of child pornography and the sexual exploitation of children online.

The EU institutions are currently working on new legislation to combat child sexual abuse and online exploitation.

- Fight against online child abuse - informal agreement with the European Parliament on temporary rules (press release, 28 April 2021)
- EU 2020-2025 strategy for a more effective fight against child abuse (European Commission)
- Sexual exploitation of children (Europol)

5. **Migrant smuggling**

Migrant smuggling is a global crime that puts migrants at risk of losing their lives. The migration crisis, which took place in 2015, had a deep impact on the European criminal landscape, with criminal networks dramatically increasing their involvement in migrant trafficking.

The EU has taken strong steps to combat criminal networks that exploit vulnerable migrants and do not intend to stop there, especially when it comes to criminals who provide support services to migrants on the main migration routes:

- Saving lives at sea and fighting criminal networks (basic information)
- Migration flows: Eastern, Central and Western routes (infographic)
- European Center for Combating Migrant Smuggling (Europol)
- Organization of illegal immigration networks (Europol)

6. **Drug trafficking**

Many of the EU's criminal activities are related to drug trafficking. The illicit drug market is in fact one of the main sources of income for criminal organizations in the European Union and represents an estimated retail value of at least 30 billion euros per year.

European drug markets are characterized by:

- high availability of different types of medicine
- increased use of violence and its considerable benefits
- use of technology to facilitate illicit trafficking

These trends developed during the COVID-19 crisis.

The EU's main objective in this area is to identify and target criminal networks involved in drug trafficking, including trafficking and distribution of cannabis, cocaine, heroin, synthetic drugs and new psychoactive substances.

7. Fraud and economic and financial crime

Fraud schemes targeting individuals, businesses and critical infrastructure are present throughout the EU. Crooks have used the COVID-19 pandemic to take advantage of growing insecurity and demand for certain crisis products. Areas of economic crime of particular interest to EU joint investigation teams include:

- online fraud schemes
- excise duty fraud
- intra-Community fraud of the missing trader (mtic)
- intellectual property crime / theft
- counterfeiting of goods and currencies
- funds of criminal origin
- money laundering
- fight against money laundering and terrorist financing (general information)
- economic crime (EUROPOL)

8. Organized crime against property

Organized crime against property is the most visible type of organized crime and has a direct impact on people and organizations. More than one million burglaries cases are reported each year in the EU.

In 2020, the number of home burglaries and general thefts decreased overall, as people were more often present in their homes due to COVID-19 restrictions.

The EU aims to destabilize criminal networks involved in organized crime against property, with a particular focus on:

- organized burglaries
- theft and robbery
- crime related to stolen vehicle traffic
- illicit trade in cultural goods

9. Crime against the environment

Crime against the environment is one of the most profitable organized crime activities in the world and has significant consequences not only for the environment but also for human health.

Environmental crime includes:

- improper collection, transport, recovery or disposal of waste
- illegal emission or discharge of substances into the atmosphere, water or soil
- killing, destroying, keeping or trading in protected wildlife species
- Illegal trade in ozone-depleting substances

The EU has taken several steps to deal with criminal networks involved in all forms of environmental crime and intends to do more, in particular by targeting criminal groups capable of infiltrating in legal business structures or setting up their own businesses to facilitate their crimes.

Conclusions

Transnational organized crime is considered one of the main threats to human security that stop the social, economic, political and cultural development of societies around the world. It is a multifaceted phenomenon that manifests itself in various activities, including: drug trafficking, trafficking in human beings, arms trafficking, smuggling of migrants, money laundering, etc ... Drug trafficking is one of the main activities of organized criminal groups that generate considerable profits.

The development of international trade due to globalization has contributed to the expansion and diversification of activities related to organized crime. Traditionally, hierarchical organized criminal groups have shrunk to make way for low-level networks that work together to exploit new opportunities. For example, organized crime groups involved in drug trafficking are usually also involved in trafficking in other illicit goods. The links between drug trafficking and other forms of transnational organized crime require a more integrated approach to addressing these networks. The signing of the United Nations Convention against Transnational Crime in 2000 was a historic step in the fight against this threat. The United Nations Convention against Transnational Organized Crime, which entered into force in September 2003, is the main international instrument in the fight against organized crime. The Convention forces states to take a number of measures to combat transnational organized crime, including the creation of criminal offenses in the national legal system to stop the problem, the adoption of new mutual legal assistance, extradition, law enforcement cooperation, technical assistance and training.

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