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NOTE

From: Presidency
To: Standing Committee on operational cooperation on internal security
Subject: The Informal Network of contact points on the administrative approach to prevent and disrupt organised crime
- A multi-annual Work Programme (2015-2017)

Delegations will find attached the annual report and multi-annual work Programme (2015-2017) as submitted to COSI by the Informal Network of contact points on the administrative approach to prevent and disrupt organised crime. COSI is invited to take note of this report and to agree on the multi-annual Work Programme (2015-2017).

The Informal Network of contact points on the administrative approach to prevent and disrupt organised crime
A multi-annual Work Programme (2015-2017)

Introduction

The Informal Network of contact points on the administrative approach to prevent and disrupt organised crime was established through the adoption of the Council Conclusions on the fight against crimes committed by mobile (itinerant) criminal groups¹ agreed following the Belgian Presidency in 2010.

During the Hungarian Presidency in the first half of 2011 an EU Handbook entitled complementary approaches and actions to prevent and combat organised crime - a collection of good practice examples from EU Member States² was drafted, published and circulated throughout the EU, via the informal Network.

Furthermore, under the Polish Presidency in the second half of 2011, it was agreed that the Informal Network should broaden its focus to include all areas of organised crime, as it was recognised that administrative measures could usefully be applied against wide ranging crime threats, not only against mobile criminal groups. It was further proposed at this time for the Informal Network:

- to promote the concept of administrative measures
- to assess possibilities for strengthening the exchange of information between administrative bodies and traditional law enforcement organisations in EU Member States, making use of existing instruments for international exchange of information and limitations stemming from national legislation
- to encourage sharing of best practice
- to propose new initiatives in developing administrative measures
- to report, via the Presidency of the Council, on the conclusions of its meetings to COSI and the competent Council working party (GENVAL)

¹ 15875/10, p. 7

² 10899/11

In October 2012 COSI set objectives for the Informal Network³ based on the proposals above, which became the foundation of the first Work Programme 2012-2014, and requested an annual update on progress achieved.

During ensuing EU Presidencies a ‘Core Group’ of Member States and EU institutions⁴ has helped to deliver on these proposals and to develop and strengthen the role of the Informal Network. This work has included the development of the Europol Platform for Experts (EPE) Administrative Approach, and the drafting and publication of version two of the EU Handbook – complementary approaches and actions to prevent and disrupt organised crime.

Then in September 2013 during the Lithuanian Presidency⁵ a detailed activity report relating to the endeavour of the Informal Network was presented to COSI. This report highlighted the work undertaken during 2013 and provided clarity on the activity to be undertaken during 2014. This work included for example, plans to further develop the EPE Administrative Approach, to promote the EU Handbook, to interact closely with those leading on several relevant ISEC funded projects, to continue to identify and share best practice in the use of administrative measures in Member States and to share the philosophy of the administrative approach with a variety of agencies and institutions across the EU championing the value of multi-agency, integrated approaches, to further disrupt and cut organised crime.

Subsequently during the Italian Presidency this first multi-annual Work Programme 2015-2017 has been drafted to provide a longer term activity plan for the Informal Network. The working priorities and derived future initiatives of the Network shall reflect and build upon the results achieved under the Internal Security Strategy in action.

³ 13283/1/12

⁴ The Core Group is Belgium, Hungary, Italy, Netherlands, Poland, UK and the rotating EU Presidency, the European Commission, Eurojust, and Europol,

⁵ 13498 /13

Informal Network Objectives 2015-2017

The following is an outline of the key objectives for the informal Network during the period 2015-2017.

- to identify ways to improve the exchange of information between law enforcement and administrative authorities in the EU; making use of existing International legal instruments and channels while mindful of limitations stemming from national legislation
- to promote the value of adopting administrative measures and multidisciplinary approaches to combat organised crime
- to propose new initiatives to use such measures and approaches to combat organised crime
- to share best practice in using such measures and approaches across the EU
- to further develop the EPE Administrative Approach internet based platform to support the work of the Informal Network and share the philosophy of using administrative approaches to disrupt organised crime across the EU
- to consider updating the EU Handbook periodically (every three years)
- to maintain and share a list of single points of contacts within Member States who are able to provide a gateway to knowledge and expertise relating to administrative measures and multidisciplinary approaches
- to provide progress reports on its work to COSI via the Presidency of the Council

Additional tasks

- to help improve and formalise cooperation between administrative authorities within the EU
- to help administrative bodies to understand the threat posed by organised crime and encourage them to fully engage with law enforcement and judicial services to help enhance public procurement procedures, e.g. by sharing a common working methodology at the EU level
- to propose new initiatives to the Council which aim to improve information exchange in the EU using the administrative approach to prevent and combat crime and prevent infiltration by organised crime into legitimate structures at all levels (e.g. federal, regional and local administrations),
- to highlight the value of adopting an administrative and multi-disciplinary approach in response to the EU's priorities for the fight against serious and organised crime 2014-2017⁶, in particular those crime areas concerning the trafficking in human beings, cybercrime, organised property crime, money laundering, and crimes involving close network-based OCGs (such as Mafia-style OCGs)
- to promote the use of civil powers to recover criminal assets as part of an administrative approach in the fight against *mafia*-type organised crime
- initiate further discussions on preventive measures for security purposes to be applied on the occasion of important sporting events at the EU level, including on the basis of DASPO.
- to help increase the use of common European databases in order to increase the effectiveness of systems checks between Member States (following the outcomes of the questions raised by the IT Presidency)

⁶ 12095/13

Future initiatives

The following ideas will also be further explored by the Informal Network during the term of this Work Programme:

- to consider a new name for the Network to put it on a more formal footing and provide it with more recognisable branding,
- to formalise future development of the administrative approach, including the embedding the role of Local Authorities) within the Network (to be proposed and approved by the Council),
- to liaise with the EUCPN over the development of their EU toolbox to be used to help increase awareness of administrative measures and disruption tools to prevent crime,
- to promote the EU manual on the role local authorities in preventing crime, due to be published following the final outcomes of the ISEC Project Genk,
- to act upon the recommendations of the integrated final report and strategic road map resulting from the ISEC Project on info-exchange (based on outcomes ISEC Project info exchange administrative approach),
- to assess the value of sending questionnaires to the 18 MS that were not included in the initial study visits conducted in the framework of the ISEC Project ‘info exchange admin approach’,
- to consider the merits of developing a barrier model for local authorities to assist them combat forms of serious and organised crime (e.g. THB).

Related ISEC funded projects

The Informal Network will liaise closely with the project leads for the following ISEC funded projects, which directly concern the development of the administrative approach or provide examples and opportunities to promote the value of adopting administrative measures to disrupt serious and organised crime.

- ISEC Project 'EU Meuse-Rhine region' (City of Genk, BE)
- ISEC Project 'info exchange admin. approach' (Ministry of Security and Justice, NL)
- ISEC Project 'Pol PRIMETT II [PP-II]' (UK)
- ISEC Project European Forum for Urban Security (Efus)

Additionally, links to other relevant initiatives under the ISEC framework, will be explored by the Informal Network, as they are commenced.

Outreach:

The following seminars and conferences will provide opportunities for the Informal Network to extend its reach and further develop the understanding and utility of administrative approaches across the EU:

- a second meeting of European Regional Centers of Multidisciplinary, Integrated and Administrative Approach to prevent and fight Organized Crime (The first one took place on 15 October 2014 in The Hague, Netherlands)
- a three-day international conference following the conclusion of the ISEC project Genk: to be held in Genk, Belgium from 19-21 January 2015
- a high level meeting on the future development of the administrative approach based on the outcomes of the ISEC project 'info exchange administrative approach' and the follow-up questionnaire, in Amsterdam, Netherlands, February 2016
- other opportunities will be pursued with related networks, committees and fora, such as the European Crime Prevention Network (EUCPN), the Committee of the Regions and the European Forum for Urban Security (EFUS), as well as with related training- and academic institutions such as CEPOL and Transcrime

Governance:

The Informal Network will be organised and managed in the following manner:

- The Informal Network is co-chaired by the rotating EU Presidency and the EU Commission
- The Informal Network consists of the 28 EU MS, the EU Commission, the Council Secretariat, EUROPOL, EUROJUST. The European Parliament and the EUCPN are also being invited to the meetings of the network
- The EU Presidency, the Core Group of Member States and the EU Commission prepare the meetings of the network.
- The Informal Network may set up sub-groups to examine specific issues or requests from the Council.
- The Chairpersons may invite experts from outside the Informal Network with specific competence in a relevant subject to participate in the work of the Network or a sub-group on an ad-hoc basis.
- The Chairpersons may invite official representatives of Member States, candidate countries, potential candidates or third countries and of international, inter-governmental and non-governmental organisations to participate in the meetings of the network as invited experts or observers.
- Members of the Informal Network as well as invited experts and observers shall comply with the obligations of professional secrecy laid down by the EU Treaties and their implementing rules.
- The meetings of the Informal Network are hosted by the EU Commission but meetings of the Core Group or sub-groups can be hosted by a member of the Informal Network, e.g. Europol or a Member State.
- The full Informal Network will meet at least once every 6 months at EU Commission premises in Brussels.

- Subject to availability of resources, travel expenses incurred by participants travelling to meetings of the Informal Network shall be reimbursed by the European Commission in accordance with its internal financial rules.
- A secretariat will be established to assist the work of the Informal Network (including the Members of the Core Group).
