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#### NOTE

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From:	Presidency
To:	Delegations
Subject:	European Multidisciplinary Platform Against Criminal Threats (EMPACT) Ten years review and perspectives

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*Courtesy translation*

Organised crime is a serious threat to the security of European citizens and to the EU economy, exploiting both relatively new sectors (cybercrime and migrant smuggling) and more traditional ones (drug trafficking and fraud) in a permanent quest for profit. The growing sophistication of the operating methods, the scale of the revenue generated by criminal activities, in particular drug trafficking (equivalent to 1% of European GDP in 2019<sup>1</sup>), and their cross-border nature (almost 70% of criminal groups operate in more than three Member States<sup>2</sup>) call for a common response in order to better identify, seize and confiscate criminal assets and combat all aspects of this threat effectively and in a coordinated manner.

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<sup>1</sup> [COM/2021/170 final](#)

<sup>2</sup> Europol (2021), [European Union serious and organised crime threat assessment](#), A corrupting influence: the infiltration and undermining of Europe's economy and society by organised crime, Publications Office of the European Union, Luxembourg, p. 19

The *European Multidisciplinary Platform Against Criminal Threats* (EMPACT) is the permanent and comprehensive framework for the fight against organised and serious international crime in the European Union. It provides for close cooperation between the Member States', European agencies and EU partners, which carry out joint actions of an operational, repressive and preventive nature (seizures, arrests and dismantling of networks, simultaneous surveillance and controls of areas, structures and individuals, prevention campaigns, situation reports etc.), as well as training and cooperation with non-European partner countries. The analyses provided by Europol in the EU SOCTA (*EU Serious and Organised Crime Threat Assessment*) report guide the action of EMPACT. The EU SOCTA recommended priority areas for the fight against organised crime over a four-year period. On the basis of this report and the discussion in the COSI/COSI SG, the Council of the European Union adopted conclusions in May 2021 setting out the ten crime priorities to be implemented between 2022 and 2025<sup>3</sup>. Annual operational action plans are to be drawn up for each of these priorities and then implemented and monitored.

### **Review and evolution of priorities**

Since 2010<sup>4</sup> and the Council's decision to establish multi-annual policy cycles, EMPACT has established itself as the strategic framework for the fight against organised and serious international cross-border crime affecting the EU. The mechanism has renewed its priorities over the last two four-year cycles (2014-2017 and 2018-2021), resulting in significant progress through cooperation between Member States' services, EU agencies, institutions and bodies, and their partners. The changes that the mechanism has undergone in order to better adapt to those of organised crime are worth highlighting.

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<sup>3</sup> [8665/21](#)

<sup>4</sup> [https://www.consilium.europa.eu/uedocs/cms\\_data/docs/pressdata/en/jha/117583.pdf](https://www.consilium.europa.eu/uedocs/cms_data/docs/pressdata/en/jha/117583.pdf)

Since its inception, EMPACT has focused on tackling persistent organised and serious international crime phenomena in the European Union while adapting to emerging activities and trends of criminal organisations. Cybercrime, migrant smuggling and environmental crime are some of the priorities that have been consistently kept, together with some more common illegal practices. Not only are the operational results of EMPACT showing clear progress in terms of arrests, seizures and contributions to investigations, but the improved cooperation and trust between our different EU services, agencies, institutions and bodies and with our partners is a success in itself.

In concrete terms, between 200 and 250 operational actions are organised each year (around 300 are planned for 2022). In the year 2020, despite the sanitary situation, EMPACT contributed to 7487 arrests, 2737 international investigations and the seizure of almost 33.3 tons of drugs and 570 million euros.

Some of these results are particularly emblematic. For example, the EMMA case, which, thanks to Europol's operational and financial support<sup>5</sup>, made it possible to dismantle the gigantic EncroChat-encrypted criminal network and led to almost two thousand arrests. In another area, the DUNQETT task force, which is designed to combat organised criminal groups facilitating the entry into Europe of illegal immigrants who use the Western Mediterranean route, has, in addition to good operational results, opened up good cooperation with Niger and Senegal.

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<sup>5</sup> The EMMA operation also benefited from the doctrine and funding put in place by Europol for the operational task force and the identification of high-value targets (HVT).

The added value of EMPACT is no longer in doubt. The multidisciplinary, inclusive and cross-cutting nature of the mechanism, which also covers crime prevention, training of our officers, information exchange and cooperation with third countries, has produced sufficiently significant results to encourage widespread use of the instrument by the Member States. While there is still room for improvement, we can only welcome the fact that these developments have made it possible to sustain and strengthen EMPACT's capabilities and hope that they will allow its full potential to be used in the fight against cross-border organised crime. The integrated approach of vertical priorities (by crime area, such as drug trafficking or trafficking in human beings) and common horizontal strategic goals for all priorities common to all criminal practices (such as document fraud) will undoubtedly make the EMPACT mechanism more efficient in the newly launched cycle.

### **Seeking greater effectiveness of EMPACT**

In line with the EU Security Union Strategy<sup>6</sup>, in April 2021 the Commission presented its EU Strategy to tackle Organised Crime (2021-2025)<sup>7</sup>, accompanied by a working document setting out a number of priorities for strengthening EMPACT<sup>8</sup>.

In particular, the Commission expressed the idea of proposing a legislative initiative to make the EMPACT cycle the structuring axis of the policy to combat organised and serious international crime. The Commission also committed itself to significantly increasing financial support for EMPACT activities and, to that end, issued a call for proposals to the Member States' managing authorities in December 2021 under the Internal Security Fund (ISF)<sup>9</sup>. A total of six work streams were presented and initiated. In doing so it has made EMPACT, which has become permanent, the flagship instrument of the Member States' operational response to the activities of organised crime groups operating in Europe.

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<sup>6</sup> [COM\(2020\) 605](#)

<sup>7</sup> [COM/2021/170 final](#)

<sup>8</sup> [SWD \(2021\) 74 final](#)

<sup>9</sup> The document 'HOME-Funds/2021/30' launching the call for expression of interest for the EMPACT Specific Action was sent to the managing authorities of the Member States and members of the Home Affairs Fund Committee on 22 December 2021.

The current cycle, which coincides with the French Presidency of the Council of the European Union, marks ten years of EMPACT. It is an opportunity to increase our use of the instrument and thereby multiply our results and build our resilience against organised and serious international crime. We need to be able to respond quickly and effectively to emerging trends and to the new and varied *modus operandi* of criminal organisations. This new cycle and the exceptional resources made available by the European Commission and the agencies provide a framework for strengthening our involvement, amplifying our actions and upgrading the skills of our agents. In order to seize this opportunity to strengthen the security of citizens and secure the interests of the European Union, it is important to communicate the benefits of EMPACT to our services so that they can use it more frequently.

A first exchange of views took place during the COSI Support Group meeting where delegations were invited to propose ways in which EMPACT could become more effective in the fight against organised crime. Delegations referred to the recommendations following the independent evaluation of the 2018-2021 cycle, which included solutions to improve EMPACT. Some of these recommendations have already been implemented for the 2022-2025 cycle, of which the impact will only be visible at a later stage. Delegations also underlined the importance of raising awareness about EMPACT (at national, EU and international level) as well as the benefits of the digitalisation of EMPACT. With regard to EMPACT funding Member States reiterated the need for a simple and flexible application and implementation process, as well as the need to share good practices (consumption rates differ substantially among the OAPs). Delegations highlighted their appreciation for the work done by the ad-hoc working group on EMPACT funding. With reference to the National EMPACT Coordinators (NECs) role and how delegations viewed this to evolve, they confirmed that NECs are the main EMPACT contact point and that they should continue to coordinate the implementation of EMPACT 2022+ at national level involving all relevant actors. NECs should be also informed about relevant EU strategies and EMPACT topics discussed in other fora.

## Questions

- Although EMPACT is the main instrument in the fight against organised crime in Europe, it is still relatively unknown. Apart from the necessary implementation of the new joint communication strategy for EMPACT, how can EMPACT become better known in the Member States? Can the Commission's proposal to modernise and rename the current four stages of EMPACT, replacing them with a more easily comprehensible and operational sequence<sup>10</sup>, contribute to this?
- Given that financial support for EMPACT activities has been strengthened (notably through the EMPACT specific action), how can we better support Member States' operational services - both at national and European level - and ensure better monitoring and use of funds?
- How can EMPACT be improved in order to avoid segmentation of the fight against versatile organised crime, whose *modus operandi* is constantly changing?
- Where would you like EMPACT to go in the next decade? What do you think of the European Commission's proposal to examine the possibility of incorporating the EMPACT mechanism and framework into European legislation?

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<sup>10</sup> In the Commission's view, the description of the EMPACT methodology remains too technocratic and process-oriented to attract the attention of investigators, magistrates, organised crime experts, and the public. So a proposal has been made to use a new sequence: 1. OBSERVE, DETECT & ORIENT (instead of 'policy development'); 2. DECIDE & PLAN TOGETHER (instead of 'policy setting and decision-making'); 3. FIGHT, (PREVENT) & DISRUPT (instead of 'implementation'); 4. HOLD, LEARN & REPEAT (instead of 'monitoring and evaluation'). See: [SWD \(2021\) 74 final](#).