

14385/98

LIMITE

CRIMORG 205

English Translation provided by Germany

NOTE

from : the incoming German Presidency

to : the Multidisciplinary Group on Organised Crime: Contact and Support Network

Subject: Discussion Paper from Germany/ Europol Drugs Unit - Suggestions for Improving the EU Situation Report on Organised Crime

Delegations will find enclosed a discussion paper of the incoming German Presidency and Europol with suggestions for improving the EU Situation Report on Organised Crime.

SEMDOC

Statewatch European Documentation &
Monitoring Centre on justice and home
affairs in the European Union

PO Box 1516, London N16 0EW, UK
tel: 0181 802 1882 (00 44 181 802 1882)
fax: 0181 880 1727 (00 44 181 880 1727)

Discussion Paper from Germany / Europol Drugs Unit
Suggestions for Improving the EU Situation Report
on Organised Crime

1. Preliminary Remarks

At its meeting of 29/30 November 1993, the Council agreed on setting up a common mechanism for the systematic collection and analysis of information on international organised crime (Cf. doc. 9908/2/93 REV 2 CRIMORG 1). This mechanism was described in doc. 12247/1/94 ENFOPOL 161 REV 1 and used for the 1994 and 1995 EU situation reports. Following an expert meeting on 13/14 February 1997, the mechanism was revised and explained in doc. 6204/2/97 REV 2 ENFOPOL 35. The new mechanism was applied for the first time in connection with the 1997 situation report.

At the meeting of the Contact and Support Network on 9 January 1998, the chair presented a discussion paper, doc. 13648/97 CRIMORG 42, on ways to improve the situation report that is currently the subject of consultations.

2. Description of the problem

It should be pointed out that our assessment of the approach taken thus far, finding a common mechanism and improving it on a continuous basis, is positive.

In order to further optimise the process, the respective structural conditions (employment of resources), which have a strong influence on report preparation, should be examined and compared.

When attempts are made to improve methodology, care should be taken to ensure that the quality of the contributions made by the Member States (MS) remains at the same level and that developments take the same course.

The situation report is currently at a point where, to an increasing extent, demands are being made to provide recommendations for action.

In order to do this, it is necessary to broaden the approach taken thus far by combining an investigation-oriented and a structure-oriented (group-oriented) view and then, in a further step, also taking non-police sources into account parallel to the recording of criminal data.

Collection of statistical data continues to be regarded as a top priority. In those countries that do not have statistical material on specific points in the list of topics, qualitative elements should continue to be included in order to avoid so-called "white spaces" in the situation report that can lead to distortions when the data are analysed.

Besides this, those types of general data should be collected that are characteristic of police input and are therefore representative of the conditions for achievable output in terms of investigative results (factual case data).

The significance of these data should not be underestimated, for they reflect the focus of police work directed at suppression of organised crime. To some extent, it is possible to draw conclusions about implementation of long-term suppression measures. An input change can be identified as well.

Only hard data should be used for this type of data collection, because then it is possible to present facts as proof that organised crime exists in a specific geographical area.

In order to compensate for current deficiencies, it is also necessary to include new approaches when collecting and analysing data for the situation report.

In addition to data obtained from investigations, the data collected should also shed light on the structures and behaviour patterns of groups relevant to organised crime and on links between criminal offenders.

A prognosis based on accurate methodological work is an indispensable prerequisite for identifying potential threats. In the business sector, it is above all the scenario approach that has proved its value. This prognosis model also represents a useful instrument for the police and can provide a structure for their information base with a view to identifying future problems. In order to prepare threat assessments of this type, socio-political and economic data must be included in the analysis along with crime-related data.

3. Recommendations (structural components)

On the basis of the problem analysis, the following structural components can be identified that are particularly suitable as a foundation for the further development and improvement of the situation report. Once agreement has been reached, the objective should be step-by-step optimisation of situation report quality.

Assessment of the current situation

By assessing the current situation, the conditions under which the situation report is prepared in the individual Member States should be established (persons and physical resources employed, offices involved, organisation, degree of experience, specialised knowledge, etc.).

Standardisation

Only harmonised and simplified data collection in the Member States makes analysis of the data collected possible. It also helps to speed up compilation of the respective data and ensure timely submission of national contributions. The same list of topics will continue to be used. In order to simplify the mechanism, the question of the extent to which electronic media can be employed will have to be considered.

Standardisation could also be improved by setting up an effective feedback mechanism. The German experience with this relatively simple instrument has been positive: Within a short period of time, the quality of the situation reports from the individual German states was harmonised to such an extent that the results are comparable and can be integrated into the national situation report without undue delay.

By means of bilateral information exchange between the suppliers and the office preparing the situation report, the greatest possible completeness of the data supplied can be ensured over the course of time.

Collection of data on investigations

Collecting data on investigations is supposed to make quantitative representation of crime possible while at the same time providing insight into the resources employed to combat this phenomenon. This sheds light on overall conditions for law enforcement as well as on the potential for suppression of crime. Including data on the resources employed to fight crime makes it possible to compare data on the current situation with data on potential for crime suppression for the purpose of identifying strengths and weaknesses as well as opportunities and risks.

For example, as a first step the following data could be collected:

- number of investigations (ongoing/concluded)
- number of officers involved
- average length of the respective investigations.

The data collected in each Member State should include all police investigations into organised crime and also all investigations by customs authorities.

Structural analysis

Structural analysis is intended to go beyond collection of basic data for the purpose of identifying organised groups of perpetrators and/or networks of perpetrators, providing greater insight into the organisation and establishment of criminal enterprises.

In their illegal market segments, the activity of criminal organisations is similar to the market activity of legal enterprises.

An analysis of group structures could focus on the following points, among others:

- classification of groups of perpetrators according to the criterion of quality
- identification of the region where a group of perpetrators operates
- determination of the market position of the group of perpetrators/the respective organised crime phenomenon.

Furthermore, collection of such qualitative information should make problem-oriented presentation of the respective crime-fighting methods possible.

Perhaps a small number of the Member States could develop a methodological basis for project implementation that would benefit all the Member States. EDU/Europol could make corresponding inquiries and, if enough Member States are interested, EU funds could be requested for the project.

Threat assessment

The current situation report only deals with past criminal cases handled by law enforcement authorities during the reporting period. Furthermore, the results achieved are influenced by the intensity with which the respective law enforcement authorities have conducted controls.

A threat assessment should describe those conditions in the MS that promote crime as well as conditions for, and causes of, organised crime in the EU that has its origin in non-EU countries. It will be necessary to identify appropriate parameters in this connection and to use them on a continuous basis. Socio-political and economic data should form an integral part of the analysis. All sources available to the police should be exploited by means of targeted and active information procurement.

Since implementation of such projects (threat assessments, prognoses) is still in a developmental stage in the field of police work, methodological advice should be obtained from experts during this phase. To begin with, prognostic models already developed in the field of science should be employed, and the information technology products available on the market should be tested and purchased.

In this area in particular, EDU/Europol will share the experience it has already acquired.

4. Implementation

In order to proceed with further development of the situation report as planned, it is necessary to define specific steps and check on their realisation. Therefore agreement should be reached about an overall concept for future co-operation aimed at further development of the situation report. The specific elements of this overall concept must then be examined on a continuous basis with a view to improving them by means of quality management.

This approach aims at developing selected recommendations for action on the basis of a situational analysis so that corresponding measures can then be taken.

Further action should be accompanied by experts who provide methodological advice. A staff of experts who are familiar with appropriate methods and have the necessary experience could be assembled for the purpose of analysing and improving the methodology employed.

A plan for further action should be developed on the basis of the overall concept. In this plan, realisation of the individual steps could be described in project form (e.g. projects that receive EU funding).