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NOTE

from : Netherlands delegation

to : Police Cooperation Working Party

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Subject : Vehicle crime

1. On 1 December 1997 the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part entered into force.
(cf. Official Journal L 327, 28.11.1997)

2. The Agreement is referred to in the Common Strategy of the European Union on Russia as established by the Cologne European Council on 4 June 1999.
(cf. Official Journal L 157, 24.6.1999)

The Common Strategy sets out the objectives as well as the means to be used by the Union in taking forward the partnership. The Council stressed its commitment to cooperation with the Russian Federation in the field of justice and home affairs. The core of the relationship between the Union and Russia remains the Partnership and Cooperation Agreement.

The Cologne Strategy document states that a joint action plan to fight organised crime will be set up.

3. The Council of the European Union has since established an action plan on common action for the Russian Federation on combating organised crime.

(cf. Official Journal C 106/5, 13.4.2000)

According to the action plan, the subcommittee – which addresses the fight against organised crime under the framework of the EU-Russia Agreement on Partnership and Cooperation – plays an important part.

The action plan names vehicle crime as one of the priority areas.

4. At the German delegation's request, the Portuguese Presidency placed the issue of vehicle crime/Russian Federation, further to an earlier Netherlands note to the Police Cooperation Working Party of 11 November 1999 (ENFOPOL 73, 12715/99), on the agenda for the Police Cooperation Working Party's meeting on 31 January 2000.

As a result of the discussions held, the Netherlands delegation was invited to prepare, with the help of other delegations and assistance from Europol, a document to be discussed by the Working Party. See item 8 of the outcome of proceedings of the Working Party of 31 January 2000, ENFOPOL 10 (5972/00).

5. On 23 March 2000 an experts' meeting was held in The Hague with experts from the Member States Belgium, Germany, Italy, Netherlands, Spain, United Kingdom and Sweden as well as representatives of Europol, the Commission and Interpol (observer).

At the meeting of experts the representatives gave presentations on the situation in their countries and an analysis of the phenomenon of vehicle crime, its nature and extent.

6. A further meeting of experts will be held in The Hague on Wednesday 7 June 2000.
 - 6.1. At the meeting of the Police Cooperation Working Party on Wednesday 26 April 2000, it was decided at the request of the Commission to place the issue of vehicle crime on the agenda for the Working Party's meeting on 15 May. The Netherlands delegation was invited by the Presidency to give a written impression of the first meeting of experts with a view to the planned meeting of the subcommittee (mid-June) set up by virtue of the Partnership and Cooperation Agreement between the European Union and Russia.
7. The following points emerged at the first experts' meeting:
 - 7.1. The experts see political decision-making on the approach to vehicle crime as a crucial back-up for operational international cooperation.
 - 7.2. The economic and social damage caused by vehicle crime, its nature and extent, are characterised as follows by the Europol Organised Crime Department, Stolen Vehicles Group:

"As far as car theft is concerned, no other type of criminal activity is as lucrative for such minimal risk. A theft of 100 top of the range cars can generate a net profit of Euro 1 to 2 million. This criminal activity is more profitable than prostitution or other black market activities. According to the overall head of Russian insurance companies, Mr. Yourgens, about 700 000 stolen cars are trafficked to Eastern European countries annually. **Taking into account the disappearance of about 500 000 cars in 1999 with an estimated value of 15 000 Euro the financial damage caused to the European Union is estimated at 7,5 Billion Euro.** Similar calculations made by Interpol, including not only the EU but also the US, Canada and Africa (total 1,6 million stolen cars), revealed, that the world-wide loss is estimated at 18,5 Billion US\$.

This type of criminality is mostly very well organised particularly when it concerns the international trafficking of stolen vehicles. Groups of criminals are organised just like a large international company. They have very sophisticated structures, for example, some will specialise in the production of forged vehicle and identity documentation, others are skilled mechanics who undertake the alteration of the vehicle identity (VIN/Chassis number, production number, number plates etc.). Then there are the couriers who are hired to drive the vehicles from one country to another. Finally another person sells the car to a sometimes-innocent purchaser at the end of the chain. These organisations may consist of many different nationalities along the chain."

- 7.3. In the light of the *modi operandi* as analysed by the experts in the Member States, vehicle crime must be regarded as a form of organised crime. Not only the *modi operandi* but also the destinations of the vehicles fit the pattern.
- 7.4. Police work should not primarily focus on locating the vehicles but rather on tracking down the hard cores of criminals operating in this field of crime. Police operations often lead to the arrest of the couriers and generally leave the organisations untouched. A deeper insight into other forms of organised crime, of which vehicle crime forms a part, is also urgently called for.
- 7.5. Top priority must be given to strengthening the police's position with regard to intelligence at European level. Europol must become a centre of excellence and specialise in depth in the gathering and analysis of information on organised vehicle crime. Europol must take the lead in developing a best practice in consultation with the experts.

- 7.6. In addition to strengthening the police's position with regard to intelligence, the registration of stolen vehicles could also be improved by using the Schengen Information System (SIS) and/or the Interpol Automated Search Facility (ASF). The system used by the registration authority, EUCARIS, is also available. The impression is that within the EU the SIS could be used to even greater advantage. The speed with which a vehicle is reported stolen as well as the speed with which a report is entered into the register are of vital importance.
- 7.7. It is important for the Member States to receive efficient and expert assistance from Europol beyond their borders. It is therefore absolutely imperative for the police forces in the 15 Member States to supply Europol with regular operational information on vehicle crime.
- 7.8. Particular attention should be paid to the important role which could be played by technological prevention in fighting organised vehicle crime. Information on technological preventive measures will be exchanged by the experts in the Member States and then assessed.
- 7.9. Stopping stolen western vehicles from crossing the EU's external borders is the best tactic from a preventive point of view.
- 7.10. International cooperation between police forces and customs, between public and private organisations must be stepped up. Instead of a coordinated approach, an isolated approach by different parties is still all too often the case.
- 7.11. A dialogue between the European Union and Russia should consider the creation of a Task Force charged with devising a plan geared towards joint action to combat organised vehicle crime (see Recommendation 2 of ENFOPOL 73).

- 7.12. If consultation with Russia reveals a willingness to exchange experts, the AEPC could be asked to develop a training module for the Russian police force and customs.
- 7.13. In consultations with Russia, the Russian Federation should be encouraged to give priority to ratifying the European Convention on mutual assistance in criminal matters.
- 7.14. The issue of organised vehicle crime is not a problem with Russia alone. Nevertheless, the approach to this issue with Russia could teach us valuable lessons for the approach to be adopted with other regions mentioned in ENFOPOL 73.