

SECTION IV STRATEGIC MANAGEMENT

STRATEGIES TO COMBAT ORGANIZED CRIME AT EUROPEAN UNION LEVEL

Dănciulescu, Laurențiu-Andrei¹

Abstract

Organized crime is one of the main threats to the security of the European Union and can cause serious social and economic damages. In order to prevent this phenomenon and avoid its rapid expansion, further proactive measures are needed to combat and prevent.

At present, organized crime takes advantage of certain legal breaches, which makes it difficult for the competent bodies, to combat the scourge, to react quickly against criminal groups who use highly developed methods to hide their activities and products from criminal offences, taking advantage of globalization and using information and communication technologies.

Organized crime is a crucial issue in many EU Member States as it represents a major threat to the rule of law and has very serious consequences for victims, for the economy and for the social development. According to the latest studies, over 3600 organized crime groups are active in Europe.

Keywords: *organized crime, strategies to combat crime, European Union, threat, globalization*

JEL Classification: H8

Introduction

The last years had as main feature the change, both in the economic and social field, leading to changing the lifestyle and way of thinking of the individual and of various organizations.

The discussion of the general idea of organized crime is closely related to both legal and sociological issues. The old principles on citizens' rights disappear, being replaced by some of the opposite, a phenomenon that has grown over the globe, starting from North America, Asia, Europe and Africa.

As it was natural to happen, this change took place in organized crime as well.

With the phenomenon of globalization, there were two relatively simultaneous phenomena:

- the disappearance of all boundaries between national and international.
- mixing social, economic and political issues to a level where no differentiation can be established between them.

These two phenomena have led to the emergence of transnational and transcontinental organized crime.

Thus, organized crime has focused its attention on certain areas of activity, including: electronic fraud, theft and smuggling of patrimony goods, money laundering, drug trafficking, trafficking of firearms and nuclear products, prostitution and, last but not least, terrorism.

Forms of manifestations of organized crime have seen very rapid changes, if traditional organized crime is based on usury, prostitution and gambling now has become the scams through credit cards, theft and sale of patrimony objects, possession and trading of rare and endangered animals.

¹ Drd., Valahia University of Târgoviște, E-mail : lauracke07@yahoo.com

1. Trends in Organized Crime

The notion of “trend” in organized crime consists of two elements, distinct at first, but which are often factually mixed. The first is the evolution of the way of organizing the offenders and the relations they have, here referring to the organized part of their activity. The second element refers to the evolution of forms of crime, quantitative importance and repercussions on society, here referring to the aspects of crime and prejudice.

When we want to classify the evolution or trends of organized crime, the apparent change in activities or forms of crime leads to a change in our way of perceiving the phenomenon. The widening of knowledge about trends depends only on the clarity of the data on which they are based, coming from the information obtained from the competent institutions and sometimes from the university studies and civil society. Information activities on criminal organizations differ from one state to another, and access to this information is sometimes limited.

Organized crime in Europe, as is commonly understood, mainly refers to trafficking in human beings, the theft of art objects and antiquities, blackmail, fraud, robbery as well as consensual offenses and criminal transit activities such as certain forms of corruption, clandestine passage, drug trafficking and money laundering.

Available data are limited to most of these offenses and are characterized by large areas of shadow of unreported or undetected offenses. In order to have a good insight into the trends of organized crime, it is therefore necessary to combine official and academic resources and those from investigative journalism and civil society. Reuniting reliable and homogeneous data on offenses related to organized crime at European level plays a vital role in developing strategies to combat these crimes (fig. no. 1).

Figure no. 1

Threats in U.E.

CRIME AREAS	Currency counterfeiting	CYBERCRIME	DRUG TRAFFICKING	Environmental crime	Fraud	Intellectual property crime	ORGANISED PROPERTY CRIME	MIGRANT SMUGGLING	Trafficking of firearms	TRAFFICKING IN HUMAN BEINGS
THREATS	Production	Online child sexual exploitation	Synthetic drugs production in the EU	Illicit waste trafficking	Excise fraud	Online trade in counterfeit goods	Burglaries and theft	External borders of the EU	Online trade (including de/reactivation)	Labour exploitation
		Cyber-dependent crime (malware, cryptoware, etc.)	Trafficking of precursors and pre-precursors							
	Distribution including online	Payment card fraud (card-not-present fraud)	Import of cocaine to the EU via major ports and couriers	Trafficking of endangered species	Investment fraud	Production of counterfeit goods in the EU	Motorvehicle crime	Secondary movements	Traditional trafficking	Sexual exploitation
			Poly-drug trafficking in the EU							
		Large-scale cannabis production and trafficking in the EU		Sports corruption	Trafficking of counterfeit goods (not online) in the EU	Organised robberies	Risk for labour exploitation		Child trafficking	
CROSS-CUTTING CRIME THREATS	Corruption									
	Countermeasures against law enforcement									
	Criminal finances and money laundering									
	Document fraud, including identity fraud									
	Extortion									
	Online trade in illicit goods (firearms, counterfeit goods, drugs)									

(Source: www.europol.europa.eu/activities-services/main-reports/european-union-serious-and-organised-crime-threat-assessment-2017)

2. Strategic Particularities in Combating Organized Crime - European Perspective

If, in the classical field of international criminal justice assistance governed by conventions, the uniformity of the criminal laws of member countries of the Council of Europe encounters inherent difficulties, caused by their traditional national specificity, it is appreciated that, with regard to the new forms of transnational organized crime, such as

cybercrime, environmental, nuclear, etc. crime, this alignment will be much easier to achieve, as the experience of the European countries is still suffering, and a unitary regulation at the continental level will be convenient for everyone, easy to implement at national and international level.

This will only reinforce the words of the French visionary politician Robert Schumann, who, in 1950, said: “Europe will not be made at once, not in an overall construction, but by concrete achievements that would first create solidarity fact”.

The increasing complexity of organized crime, the diversity of its forms of manifestation, the wide area of enlargement in the economic, social and political fields impose drafting and developing adequate strategies to prevent and combat this phenomenon.

The systematic approach to this issue necessarily implies considering two main elements: the objectives pursued and the methods used. This is all the more so since a community or a particular country will have to prioritize its objectives, while be at the same time ready to accept certain concessions and opt for the least costly methods involving minimum political and legal constraints. Thus, in the following, we will make the necessary reference to the objectives to be considered and the strategies needed to achieve them.

In general, the objectives to be considered when developing prevention and repression strategies for organized crime are:

- reducing the vulnerability of the society to the infiltration of criminal organizations;
- reducing the possibilities of accumulating and using profits from illicit activities;
- identifying, dismantling and liquidating criminal organizations by prosecuting and condemning their members, confiscating goods obtained from crimes and those used for such purposes.

Essentially, these are the objectives and, for their realization it is necessary to develop, adopt and implement adequate prevention and repression strategies through efficient methods and means. In this respect, a great importance in elaborating strategies for combating the phenomenon of organized crime is considering the objective and subjective elements that characterize that territory, country, region.

Thus, as objective elements we can mention:

- the level of available resources;
- the qualification and competence of cadres, especially those working in the criminal justice system and in the structures for the suppression of organized crime.

As subjective elements, can be considered:

- corruption level and vulnerability to this phenomenon;
- existing complicity connections between the organized criminal groups and certain elements of the political, economic and administrative system.

3. Priorities in combating Organized Crime for the period 2018 – 2021

The 10 priorities adopted by the Council of Europe are mainly based on the recommendations made in the Europol report, such as the assessment of the threat posed by the serious forms of crime and organized crime in the European Union.

3.1. Cyber Crime

Every year, cyber-attacks have generated global losses of over € 400 billion. The European Union is trying to intensify their fight against cyber-crime by focusing on three main areas:

- Combating attacks against information systems;
- Combating fraud with no cash means of payment;
- Improving children’s safety online, including combating the production and distribution of child abuse related content.

3.2. Drug trafficking

Drug production and trafficking remain some of the most profitable actions for criminal organizations at the level of the European Union. The main objectives are:

- Reducing production and trafficking in synthetic drugs such as ecstasy and LSD;
- Undermining the criminal activities of organizations that illegally enter the territory of the Member States of the European Union cannabis, heroin and cocaine.

3.3. Facilitating illegal immigration into the European Union

The illegal introduction of migrants into Europe is, for the most part, in the hands of traffickers. Currently, over 90% of migrants pay traffickers to reach the territory of the Member States of the European Union.

The European Union seeks to combat criminal networks exploiting vulnerable migrant groups, especially those that:

- Use methods that endanger people's lives;
- Offer their services online;
- Use methods to fraud documents within their activity.

3.4. Theft and organized burglaries

The European Union intends to undermine the activity of criminal groups that exploit the lack of interoperability of cross-border surveillance tools to commit business, housing or automobile burglaries.

3.5. Trafficking in human beings

- The European Union wants to combat trafficking in human beings, especially sexual exploitation and labor exploitation, as well as all forms of child trafficking, the main objective being to identify and protect the victims..

3.6. Fraud with excise products and intra-community fraud through ghost companies

Every year, € 60 billion are stolen by criminal groups that use VAT in cross-border transactions. The experience gained in the past years will add to the fight against criminal groups.

3.7. Trafficking of firearms

The EU is determined to undermine the work of criminal organizations that:

- smuggle firearms
- distribute firearms
- use firearms

3.8. Environmental crime

Environmental crime has become one of the most profitable organized crime activities worldwide. This affect not only the environment but also the society and the economy as a whole. The EU will focus its combating actions on:

- undermining the criminal organizations involved in the trafficking of wild fauna and flora
- combating those who deal with illegal waste trafficking.

3.9. Funds from offenses

Making a profit is the primary target of offenders, and financial service innovations - such as virtual coins and anonymous prepaid cards - have created new opportunities for money laundering and crime financing. The EU aims to:

- confiscate the profits generated by criminal networks by laundering money
- target businesses offering money laundering services
- targeting criminal organizations using new payment methods to launder profits from criminal offenses.

3.10. Document fraud

The security of travel documents is important for combating terrorism and organized crime and helps protect borders and manage migration. The EU aims to combat the criminal organizations involved in producing and supplying false documents to other offenders.

Conclusion

Organized crime is a major threat to the security of the European Union. Organized groups and individual offenders continue to generate losses of billions of euro in the Member States.

The impact of technology on crime extends beyond the internet and involves all sorts of technical innovations such as drones, advanced printing technologies, etc.

The European Union should have a key role in creating a new pan-European network of judicial cooperation in criminal matters, as well as in establishing connections between the various existing networks, in order to be able to fight on an equal footing with organized crime networks.

The mutations/changes that occurred at the political and socio-economic level led to the emergence of new forms of criminal organizations, situation where there are a number of risks and threats but also vulnerabilities that must alert the state authorities responsible for preventing and combating the organized crime.

In an attempt to annihilate this scourge, the competent authorities should consider not only the punishment of the culprits, but also the development of a prevention and combat program. This program should be based on measures to raise living standards, improve living conditions, leading to a balance between the national and international environment, respectively the diminishing of the major social differences.

References

Voicu, C, Voicu, AC & Geamănu, I 2006, *Criminalitatea organizată în domeniul afacerilor*, Pildner/ Pildner Publishing House, Târgoviște, RO

Hedeșiu, E 2004, *Considerații privind conceptul de prevenire a acțiunilor crimei organizate cu implicații în planul siguranței naționale*, paper presented and published within the Session of Scientific Communications organized by the National Intelligence Academy on „Security and society: the challenges of the third millennium”, București, RO

Stamatin, Ș 2007, *Crima organizată și alte amenințări la adresa securității naționale*, in „Progrese și perspective în reprimarea corupției”, Bons Offices SRL Publishing House, Chișinău, MD

www.europol.europa.eu

<https://rm.coe.int/cartea-alba-a-criminalitatii-organizate-ransnationale/168070ab40>