



## **EU Policy Cycle: what is it, how does it work and what is the role of prevention?!**

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The completion of the internal market and the abolition of internal border controls within the countries of the European Community have created an increasing internal market within the EU. Technological and commercial developments have reduced national trade barriers, widened the transportation infrastructures and bolstered volumes of international business, also, the Internet and extensive cellular telephone networks have promoted fast communication. These developments have greatly contributed to the welfare of the EU. However the other side of these developments is the easiness in which organized criminal groups use this open space to extend their criminal activities.

In order to combat this growing organized criminality, the EU has come up with a multiannual Policy Cycle which coordinates the measures taken to prevent and combat this serious and organized crime. The following article explains you what the EU Policy Cycle is, how it works, what the current developments are for the next Policy Cycle 2018-2021 and the article also goes further into a new development which is including prevention into the Policy Cycle.

### **What is the EU Policy Cycle for the fight against serious and organized crime?**

The Policy Cycle is a methodology adopted by the European Union in 2010 to address the most significant criminal threats facing the EU. The Policy Cycle translates strategic objectives at the European level into concrete operational actions against serious and organised crime. Each cycle lasts 4 years and optimizes coordination and cooperation on the crime priorities agreed by all Member States. During the cycle, all concerned services and stakeholders, at national and EU level, are invited to allocate resources and mutually reinforce efforts. Emerging threats are also monitored so that they can be effectively addressed. The Policy Cycle has 2 main objectives:

- To ensure effective cooperation between Member States, law enforcement agencies, EU Institutions, EU Agencies and relevant third parties;
- To deliver coherent and robust operational actions targeting the most pressing criminal threats facing the EU.

An initial and reduced EU Policy Cycle was implemented between 2012 and 2013 on the basis of the EU crime priorities agreed by the Council on 9-10 June 2011. This first cycle was followed by a fully-fledged four-year EU Policy Cycle between 2014-2017. A new Policy Cycle for 2018-2021 is being discussed during 2017.

The creation of the EU Policy Cycle consist' of 4 steps:

1) The serious and organised crime threat assessment (SOCTA)

The SOCTA, developed by Europol, comprises a set of recommendations based on an in-depth analysis of the major crime threats facing the EU. The Council of Justice and Home Affairs Ministers use these recommendation to define the priorities for the Policy Cycle.

At the start of the policy cycle, the SOCTA delivers analytical findings that inform political priorities, strategic goals and operational action plans. It identifies and assesses threats to the EU and analyses points of vulnerability to crimes as well as the opportunities criminals create to commit them.



2) Strategic plans

Multi-annual strategic plans (MASPs) are developed on the basis of the priorities defined in step 1 in order to define the strategic goals for preventing and combating each threat. Each of these MASPs are the basis for the European multidisciplinary platform against criminal threats (EMPACT).

Since 2017 a Master MASP is developed, before all other MASPs, which describes the horizontal goals for all the threats.

3) European multidisciplinary platform against criminal threats (EMPACT)

Each year the MASPs of all the priorities are translated in operational action plans (OAPs) in order to combat and prevent crimes in the areas that have been assigned by step 1 and 2. Each priority therefore has an EMPACT project which executes the decided actions.

The Member States and EU organisations work in a coordinated fashion to implement each OAP. Each of these EMPACT projects is led by a driver and co-driver (Member States choose these amongst themselves) and all other Member States can become actively involved into the different EMPACT projects if they wish to.

4) Evaluation

Throughout the Policy Cycle, the effectiveness of the OAPs and their impact on the priority threats are reviewed by COSI (Standing Committee on operational cooperation on internal security). This allows the EMPACT projects to evaluate, monitor and adjust (if required) the effort in tackling the priority threats.

Furthermore, at the end of the Policy Cycle a final evaluation study is carried out by an independent external evaluator in close cooperation with the monitoring group of experts. The report should contain a number of recommendations and recommended actions to make the next EU Policy Cycle more effective, efficient and streamlined, and to balance the burden placed on different categories of stakeholders.

### **The EU Policy Cycle 2018-2021**

The final evaluation of the Policy Cycle 2014-2017 was finished and handed over to COSI in February 2017. After looking through this document and a discussion about it, COSI decided that the Policy Cycle has proven its merit and that they would continue with this methodology for another cycle; 2018-2021<sup>1</sup>.

In March 2017, *Europol* published its new SOCTA report (step 1).<sup>2</sup> In summary Europol has identified 3 engines for the increase in serious and organized crime: criminal finances and money laundering, document fraud and online trade in illicit goods and services. These cross-cutting criminal threats enable and facilitate most, if not all, other types of serious and organised crime. Furthermore, Europol has also identified 4 drivers which increase the impact of organized crime: technology, geopolitical contexts, legal business structures and Europe as a key location for crime. Drivers of crime shape the nature and impact of serious and organised crime activities. They include facilitating factors and vulnerabilities in society which create opportunities for criminals.

Additionally to make it concrete Europol has identified several phenomena in which serious and organized criminal groups are active: currency counterfeiting, cybercrime (divided in 3 subcategories), drugs production, trafficking and distribution, environmental crime (divided in 2 subcategories), Fraud, intellectual property crime, organized property crime, people as commodity (divided in 2 subcategories), sports corruption and trafficking of firearms.

According to their experiences and the possible impact of the different phenomena, Europol then identified 8 priority crime threats: Cybercrime, drug production, trafficking and distribution, migrant smuggling, organised property crime, trafficking in human beings, criminal finances and money laundering, document fraud and online trade in illicit goods and services

The EU Commission released on the 12<sup>th</sup> of April 2017 a statement with their views on the SOCTA and the new Policy Cycle<sup>3</sup>. The EU Commission agrees on the 5 priority crime threats and the 3 cross-cutting issues which Europol suggested as priority crime threats. However they also suggested that attention and resources should be dedicated at EU level to tackling another 3 crime threats: firearms trafficking, VAT fraud and environmental crime. Furthermore, the Commission also highlighted the importance of the use of new technologies by criminals and the external dimension of serious and organised crime.

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<sup>1</sup> 7704/17

<sup>2</sup> <https://www.europol.europa.eu/activities-services/main-reports/serious-and-organised-crime-threat-assessment>

<sup>3</sup> COM(2017) 213 final



On the 18<sup>th</sup> of May 2017 the Council adopted the Council Conclusions on setting the EU's priorities for the fight against serious and organised crime between 2018-2021. The priorities which are chosen from the above mentioned ones are:

- cybercrime,
- drugs,
- facilitating illegal immigration,
- organised property crime,
- trafficking in human beings,
- excise & missing trader intra community fraud,
- firearms,
- environmental crime,
- criminal finances & money laundering,
- document fraud.

The next step is to draft MASPs for all of these priorities (step 2). However this year the Master MASP, defining the horizontal priorities, was added to this step. The general Multi-Annual Strategic Plan (MASP) workshop was held on 26 June 2017. The meeting identified 7 Common Horizontal Strategic Goals which should be applied to all specific MASPs in order to strengthen their consistency with one another and facilitate their drafting: (1) Intelligence picture, (2) Operational activities, (3) Prevention and capacity building, (4) Cooperation with non-EU partners, (5) Document fraud, (6) Financial investigations, (7) On-line trade in illicit goods & services.

During September and October 2017 the MASPs will be drafted for each of the defined priority phenomena. When drafting the MASPs the stakeholders will have to take the above mentioned 7 horizontal goals into account. The drafting of the OAPs (step 3) for 2018 will be added to the workshops where the MASPs will be drafted. Each year during October the OAPs for the following year will be discussed and drafted. Throughout the next 4 years the activities will be monitored and reviewed in order to adjust where needed the efforts in tackling the priority threats. In 2021, a final evaluation report will then be drafted which will contain recommendations for the next 4 years.

#### **Prevention within the Policy Cycle: the role of the EUCPN**

The European Crime Prevention Network was created in 2001. Its main objective was to develop a platform for EU Member States to exchange knowledge and best practices in the field of crime prevention. The tasks of the network are the following:

- developing the various aspects of crime prevention at the European Union level, taking account of the EU crime prevention strategy



- support crime prevention activities and good practices at the national and local level.
- The Network contributes to the development and the promotion of a multidisciplinary and preventive approach to crime and feelings of insecurity at European level

The Network therefore actively supports policymakers and practitioners at European, national and local level. Relevant EU and international agencies, organizations, working groups, etc. are also a target group.

In 2011 4 general goals were defined by the Network:

- A. To be a point of reference for the target groups of the network
- B. To disseminate qualitative knowledge on crime prevention
- C. To support crime prevention activities at national and local level
- D. To contribute to crime prevention throughout the EU generally and specifically at EU level having regard to the strategic priorities of the EU<sup>4</sup>

This last goal is especially interesting when looking at the Policy Cycle. Throughout the Policy Cycle 2014-2017 the preventive aspects, even though mentioned in the Council conclusions setting up the priorities and usually provided in all OAP's, remained ill-developed. Real preventive actions were not often taken, the Policy Cycle mainly focused on the reactive side. The EUCPN believed that this does not necessarily needs to be the case; there is room to look into prevention actions.

Therefore it was up to the EUCPN to make sure that prevention can take up its rightful place within the Policy Cycle. Especially because each of the above mentioned priorities can have a preventive side to it. The EUCPN was supported by the Council in this ambition; some of the sentences within the various Council Conclusions did leave room for this to happen:

- The Council Conclusions on the continuation of the Policy Cycle state the following: Article 1, II: for each of the priorities a MASP needs to be developed in order to achieve a multidisciplinary, integrated and integral approach (**covering preventive as well as repressive measures**) to effectively address the prioritized threats.
- The Council Conclusions on the priorities even goes further by stating the following: Reiterating that **a balance should be struck between prevention and tackling the consequences of threats** to EU internal security posed by organized and serious international crime.

In order to promote the idea of adding preventive actions to the Policy Cycle, the EUCPN Secretariat gave speeches at GENVAL (Working Party on General Matters including Evaluation) and at COSI. Through these efforts and the support of other stakeholders, the EUCPN Secretariat was invited to participate in the workshop of the Master MASP. There, the ideal situation would have been to see prevention mentioned as a separate horizontal priority. However, the Member States decided to join

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<sup>4</sup> EUCPN multi-annual strategy 2016-2020; <http://eucpn.org/document/eucpn-multiannual-strategy-2016-2020>



prevention and capacity building into one horizontal priority. Nevertheless, the objective of this horizontal priority is definitely enough to get prevention more involved in the Policy Cycle;

*Objective: Increase prevention against threats relating to EU crime priorities, including through awareness-raising amongst relevant public and private actors, and build the law enforcement capacity to tackle crime by improving knowledge, skills and expertise based on training and the sharing of best practices.*

This now means that when the MASPs and OAPs for the different priorities are drafted, the drivers will have to think about adding prevention to the actions. In order to make sure that the drivers do not look at prevention as an extra burden, the EUCPN would like to become actively involved into some of the EMPACT projects. The EUCPN Secretariat has not yet the capacity and experience to enter into all the MASP's of the phenomena. Therefore the EUCPN Board (in which all Member States are represented) has decided to start with getting actively involved in the EMPACT project of Trafficking in Human Beings and Organized Property Crime. Furthermore, the Secretariat will also look into supporting the EMPACT project on Cybercrime and possibly Drugs.

As you can read the events are still unfolding as we speak. When the EUCPN convinces the drivers to let them become part of the EMPACT Projects, the objectives will be to create EU wide prevention campaigns, focus days and larger-scale prevention projects. Through this the EUCPN would like to support all EU Member States in developing preventive activities or helping them to continue their activities. In the near future, we hope to provide you all with campaign materials to sensitize your citizens and make them aware of what can be done to prevent crimes from happening. All of this in order to make sure that prevention is not just mentioned on paper but that it becomes a reality.

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With financial support from the Prevention of and Fight against Crime Programme of the European Union  
European Commission – Directorate-General Home Affairs