

MYTHBUSTER

THE FIGHT AGAINST SERIOUS AND ORGANISED CRIME: INTERNATIONAL COOPERATION OR LOCAL APPROACHES?

Organised crime is a bit of a confusing concept. Depending on whom you ask, it means different things. This is reflected in European criminal policy, where definitions were not always clear and priorities have shifted. What is clear is that organised crime has become quasi-synonymous with serious international crime. This may give rise to the idea that organised crime is something that should be dealt with by high-level strategic players. However, organised crime is also embedded locally and has a local impact. Local preventionists and police officers, too, have important roles to play in the prevention of, and fight against, organised crime.



ORGANISED CRIME, SERIOUS CRIME, INTERNATIONAL CRIME

Organised crime is a key concept in criminal policy and crime prevention, but it is not always clear what exactly constitutes organised crime. In the international arena, many key institutions and documents include one or more qualifiers, which either explain the word organised or narrow it down. At the global level, there is the UN Convention against Transnational Organized Crime.¹ At the EU level, we have long been content with the term “organised crime”, as seen in an Action Plan to Combat Organised Crime (1997),² the Council Framework Decision on Organised Crime,³ and regular Organised Crime Situation Reports prepared by the Member States (from 1994), which in 2006 transformed into Europol’s Organised Crime Threat Assessments (OCTA).

About a decade ago, the EU started adding qualifiers too, namely “serious” and “international”. In 2010, the EU Policy Cycle to Tackle Organised and Serious International Crime was adopted.⁴ As of 2013, Europol’s OCTAs were replaced by Serious and Organised Crime Threat Assessments (SOCTA).⁵ The Council promotes the “administrative approach to prevent and fight serious and organised crime” and established a network for it.⁶ The European Commission recently revealed its Strategy to Tackle Organised Crime, which emphasises the “cross-border and international dimension of organised crime”, stating that “organised crime is an international enterprise” and speaks of several “serious crimes”.⁷ All in all, organised crime is often associated, or even conflated, with serious crime and international crime.

But what is organised, serious, and international crime? The term “organised crime” is sometimes considered vague and unproductive.⁸ This is, in no small part, due to the fact that organised crime may refer to both the *who*, i.e. the criminal organisations, and the *what*, i.e. the types of crime and modus operandi typical of certain crime phenomena.⁹

Still, the shift towards serious crime in EU policy was well-received. Serious crime is defined not in terms of the organisation or the activity, but in terms of the harm caused by the crime.¹⁰ The key question becomes whether a crime is serious enough to be dealt with at a supranational level. In Europol’s words: “Serious crime refers to criminal activity deemed worth reporting on, which does not meet the OCG [organised crime group] definition set out in the 2008 Framework decision. *De facto*, it also concerns lone actors or individual actions.”¹¹ This reflects the fact that many serious crimes are committed by non-organised criminals.¹² Child sexual abuse by someone known to the victim is one example of a crime that is obviously serious, but not necessarily organised. More than twenty serious crime phenomena besides organised crime now fall within the remit of Europol whenever there is an international aspect to them.¹³

International crime, finally, is perhaps less straightforward than it appears to be. Like organised crime, it may refer to both the criminal activity and the crime group. We may speak of international crime when the criminal act spans or involves actions in more than one country. This is so in the case of the illicit trafficking of goods or persons across borders. We may also speak of international crime when a crime group consists of members from multiple countries. Indeed, while some organised crime groups consist of members from the same nationality (either domestic or foreign), some criminals habitually work together with people from other nationalities. In the EU Strategy to Tackle Organised Crime 2021-2025, international crime refers to both.¹⁴



Michael Levi: “Organized crime can mean anything from major Italian syndicates in sharp suits or Sicilian peasant garb to three very menacing-looking burglars with a window cleaning business who differentiate their roles by having one act as look-out, another as burglar, and a third as money-launderer. If any component of what they do involves a foreign country, they become transnational organized criminals!”¹⁵

Some have levelled criticism against the ambiguity of the concepts like organised crime and the way that they affect policy. They noted that organised crime could be a criminal act for which two or more persons collaborate, even if just for the occasion.¹⁶ Indeed, the 2008 Council Framework Decision did not provide a definition of organised crime, but instead provided one of an organised crime group, which amounted to nothing more than the co-operation of at least two individuals in a criminal activity.¹⁷ Some critics lament the negative effect of the conceptual vagueness on organised crime policy, stating that it has created a “broad playing field for policy-makers and companies alike to pursue their own agenda.”¹⁸

Cybercrime illustrates very well how the terminologies of organised, serious and international crime intersect and cannot be unambiguously applied to particular crime phenomena. Cybercrimes vary wildly in terms of the harm they cause and thus the seriousness. Compare, for example, a malware infection, dark net drug trafficking, and critical infrastructure cyberattacks. Cybercriminals may act alone, be part of an organisation, or offer their services to organised crime groups.¹⁹ The prevention of, and fight against, cybercrime is the responsibility of many actors, from specialised international law enforcement to small businesses and private internet users who should protect their devices.²⁰ In a way, the internet and people’s command of internet technology have even transformed the organisation of crime: whereas a certain level of structure and organisation was traditionally required to commit sophisticated crimes, cybercrimes and cyber-dependent crimes are increasingly committed by small and very loose networks.²¹



INTERNATIONAL ORGANISED CRIME – INTERNATIONAL ORGANISED SOLUTIONS?

International organised crime is not something with which local or even national actors can deal on their own. It requires an international, concerted effort to disrupt and prevent international crime operations and organisations successfully. In such international co-operations, the exchange of, and access to, information is key. In Europe, data exchange systems such as the Schengen Information System (SIS) and co-operation platforms such as the European Multidisciplinary Platform Against Criminal Threats (EMPACT) are central to the fight against serious and organised international crime.²²

That does not mean, however, that local actors do not have a role to play in the fight against organised crime. There is a certain tension between the serious and organised crime priorities set by the EU Policy Cycle on the one hand and local priorities on the other. A common assumption is that organised crime is international and best dealt with by national or international high-level strategic players, whereas local players should focus on local non-organised crime.²³ Often without basis in fact, policymakers have since long made claims about the special nature and ever-growing threat of organised crime, leading to the widely held believe that “exceptional crime threats need to be responded to by exceptional measures.”²⁴ Local actors, in turn, are sometimes hesitant to take ownership of the fight against serious and organised crime.²⁵ However, there are several reasons why these crimes should also be addressed by local and regional actors, who can contribute significantly to the fight against it. Let us look at the two most important reasons.

REASON 1:

NOT ALL SERIOUS AND ORGANISED CRIME IS INTERNATIONAL

If we consider organised crime to be the deliberate criminal activity requiring the collaboration of multiple perpetrators, not all organised crime is necessarily international. Europol's latest SOCTA estimates that 65 % of all organised crime groups (OCG) are composed of members with different nationalities, leaving a third that consists of members from the same nationality.²⁶ According to the same report, more than 70 % of organised crime groups are active in more than three countries²⁷; in other words, a good quarter of them are active in only one or two countries.

This may not seem a lot, but Europol's focus is of course primarily on international crime. It is not hard to think of examples of organised crime groups whose activities are confined to one country or even much smaller territories. Street gangs and youth gangs come to mind. An important trend in the EU is the fragmentation of organised crime groups, leading to an increase in the number of groups. These smaller groups increasingly take the shape of street gangs, which control a particular, relatively small (sub)urban area and recruit from the population of that area.²⁸ Of course, they have connections to international crime but their profile is first and foremost local. Thus, street gangs are often involved in dealing drugs, controlling local drug markets, but other organised crime groups are responsible for the wholesale supply.²⁹ Some have even argued that all organised crime is essentially local, in the sense that organised crime emerges from local trading relationships which are dependent on shared local interests.³⁰ Paying due attention to local organised crime has the advantage that it helps shift the focus from chasing elusive international actors to preventing local recruitment and protecting victims and neighbourhoods.³¹

Reducing the impact of organised crime in local communities

The prevailing enforcement-centred approach to organised crime perpetuates the idea of high-level, international crime, because it focuses on exactly those kinds of crime. However, a grass-roots approach that takes local harm as a starting point will reveal that organised crime is often distinctly local.

In the UK, a team of six researchers did exactly that in three neighbourhoods in two cities.³² They identified a total of fifteen organised crime groups and urban street gangs. Once identified, a mixed-method investigation allowed the mapping of the activities of the groups, their organisation, recruitment mechanisms, and how all that relates to crime control policies.

The majority of the group members were born and raised in the city where they operated. Most of them resided in the community in which they were active and tended to hang around there as a way to exert control. Recruitment, often through criminal exploitation, was mostly local. Women and girls exploited by those groups active in sexual exploitation were found locally but also beyond. All in all, local physical and social settings were important determinants of local organised crime.

The researchers concluded that such local organised crime problems require a local multi-agency response driven by local intelligence.

The full research report is available here: <https://www.police-foundation.org.uk/publication/reducing-impact-organised-crime-local-communities/>



REASON 2:

ALL ORGANISED CRIME HAS A LOCAL IMPACT AND IS DEPENDENT ON LOCAL CONDITIONS

All organised crime, whether international or not, ultimately manifests itself locally. A synthetic drugs lab, for instance, is located in a particular locality, takes power from a particular company, dumps its toxic waste in a specific place, and creates risks for the community (through chemicals or fire).³³ Drug markets are tied to specific locations, on which they have profound effects: increased levels of violence, substance abuse, fear of crime and other nuisances such as discarded needles.³⁴ So, even if the separate parts of the process (production, trafficking, sale) take place in different countries, they each have a marked local impact. Similarly, the victims of an international human trafficking operation may be working in a local car wash.³⁵ It can also be the case that organised crime groups launder their proceeds in different countries, but there is a good chance that the money was made from essentially local criminal activities.³⁶

However, the local dimension of organised crime reaches further than the immediate impact of the criminal acts. Getting in touch with other offenders and striking a deal to collaborate is crucial to organised crime. This process depends on the local context, both in terms of the types of places where offenders meet (offender convergence settings³⁷) and in terms of the social ties that help offenders meet co-offenders and which create

crime opportunities (social opportunity structure³⁸). Other aspects of the local context, too, provide opportunities for organised crime or may inhibit it: the legal, economic, jurisprudential, and even geographic context in which crime groups are active determine their access to supplies, their chances of successfully marketing illegal goods and services, their options to re-invest gains, as well as the likelihood to get away with it all. It has been observed, for instance, that drug markets in the EU differ significantly from one country to the next, and even within countries. Cannabis resin (hashish) trade and use is the highest in Spain, where Moroccan product enters the EU, and contraband cigarette sales are generally higher in lower-income areas.³⁹ Finally, OCGs are “culturally and cognitively embedded in local culture”,⁴⁰ the value system of which forms the backdrop for the intergenerational transmission of criminality and recruitment.⁴¹

LOCAL ACTION AGAINST SERIOUS AND ORGANISED CRIME

From all of the above, it should be clear that local actors can and should play a role in the fight against serious and organised crime. They have a vested interest in fighting *their* organised crime, as they may experience increased levels of victimisation, recruitment, violence and nuisance related to the organised crime activity as well as increased levels of fear of crime.

Centralising organised crime responses at the national or even international level has led to enhanced law enforcement co-operation across borders, but the preventive and protective effect of such enforcement-centred approaches is limited. High-profile top-down strategies, such as follow-the-money strategies and kingpin arrests, fail to deliver on their promises and as a result, illegal markets remain largely unaffected by them (or have at least adapted).⁴² Local police and authorities are well-placed to assess and map local illicit markets and organised crime harms, but local intelligence is often lost in the “information tsunami” that international co-operation and information exchange have brought about.⁴³

Effective crime prevention depends on detailed analyses of crime problems, of the sort that only local actors can make.⁴⁴ Therefore, local experiences and local intelligence should play a key role in the fight against organised crime.⁴⁵

The Sofielund Approach

The Sofielund Approach is a prime example of a multi-agency community-based organised crime prevention initiative. The programme addresses serious crime in the Sofielund district of Malmö, primarily the open drug market, but also the other problems in its wake, such as (gun) violence and public nuisance.

The Sofielund Approach comprises a wide array of actions by local actors and stakeholders, including a local football club, a tenant’s union, businesses, and local government entities such as the city planning department and city police. The multi-agency cooperation takes shape in a network association modelled after business improvement districts (BID). Concrete actions include a host of situational measures, such as increased patrolling and CCTV monitoring, alongside a series of social prevention initiatives targeting the youths recruited or exploited by organised criminals.

Researchers have monitored and evaluated the approach. They observed a marked decrease in both crime and feelings of unsafety in the area.

The Sofielund Approach won the 2019 European Crime Prevention Award.

For more information on the Sofielund approach, see <https://eucpn.org/document/sofielund-approach>

In addition, local authorities should play active roles in the disruption and prevention of organised crime. Community prevention and developmental prevention, which are local by definition, are important pillars of the fight against organised crime. They help reduce recruitment into organised crime, enhance communities' resilience against harm and victimisation and inform effective police interventions (e.g. through hotlines).⁴⁶

One path of action for local actors as well as non-law enforcement national authorities is the administrative approach.⁴⁷ This has been defined as “a way to prevent and tackle the misuse of the legal infrastructure through multi-agency cooperation by sharing information and taking actions in order to set up barriers.”⁴⁸ Not only is much of the relevant information generated at the local level, but local authorities should also play a key role in taking and coordinating action.

Local (and national) authorities can use their regulatory powers to hamper organised crime. This can be done in a variety of ways. A classic example is the refusal of a licence to open a business (a bar, a massage parlour, a restaurant) or to sell alcohol in a place that would serve as a front to a criminal operation. Inspections such as labour inspections, food safety inspections and fire safety inspections are another tool that can be used to disrupt criminal activities.⁴⁹ Organised crime often depends on local conditions and it is up to local authorities to do something about that.⁵⁰

Local authorities are also in a good position to coordinate actions against organised crime. Community-based interventions require contributions from different local services (e.g. schools, social work, local police), citizens and businesses. Community prevention is important because it has the potential to reduce recruitment into organised crime.⁵¹ Managing such cooperations and aligning them with the administrative interventions of multiple agencies as well as the actions of (national) police and prosecutors could be a role for local authorities. They are conveniently situated in the middle of it all and are usually intimately familiar with the way an organised crime problems present to its environment. But even in approaches that are not coordinated at the local level, local action is often a prerequisite for success. In EU-wide campaigns, such as the ones the EUCPN sets up in the framework of EMPACT, national and local actors take on much of the actual dissemination of the campaign material.

CONCLUSION

Organised crime is often conflated with serious and international crime. The prevailing view of “international organised crime” has raised organised crime to the national or international level, where it becomes the focus of predominantly enforcement-oriented policies. But not all serious and organised crime is international. More importantly perhaps, all organised crime has a local impact in terms of harm and recruitment. Consequently, the best response to serious and organised crime is an integrated approach that combines both reactive policing and prevention, and in which international, national and local actors do their part. Indeed, local authorities have a role to play in the fight against organised crime. They are in a privileged position to complement enforcement-based policies with a preventive and protective approach. Local authorities are often in command of key information on organised crime problems. They are also in an ideally suited position to manage multi-agency partnerships. As such, they have the potential to reduce recruitment as well as the very tangible harmful effects of organised crime in local communities.

Endnotes

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