

# European Network on the administrative approach

SUBJECT:

**The European Network on the  
administrative approach in practice**

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**European crime prevention  
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PRESENTED BY:

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# Speakers

- Henri De Geyns
  - Ministry of Interior Belgium



- Delia Ehling & Susanne Gondolf
  - BKA Federal Criminal Police Office Germany



- Ilona Idzikowska
  - Ministry of Interior Poland



- Vincent Lauwers
  - ENAA Secretariat



# The European Network on the administrative approach in practice



# History

- Stockholm Programme (2010/C115/01)
- Belgian Presidency (2010)
  - Council Conclusion of 5 November (15875/10)
  - Informal Network
- Hungarian Presidency (2011)
  - First EU Handbook
- Polish Presidency (2011)
- Lithuanian Presidency (2013)
  - Second EU Handbook
- Dutch Presidency (2016)



# Dutch Presidency (2016)

## Council Conclusion of 6 June (9935/16)

Definition on the administrative approach:

- 1. Prevent** persons involved in criminal activities **from using the legal administrative infrastructure for criminal purposes**, including, where relevant, procedures for obtaining permits, tenders and subsidies; 
- 2. Apply all relevant types of administrative regulations to prevent and fight illegal activities**, when possible under national law, including the preventive screening and monitoring of applicants (natural persons and legal entities) for permits, tenders and subsidies, as well as closing or expropriating premises when public nuisance occurs in or around those premises as a result of undermining criminal activities; 
- 3. Coordinate** interventions, using **administrative tools** to supplement actions under **criminal law**, to prevent, counter, disrupt and suppress serious and organised crime. 

# History & future steps

- Estonian Presidency (2017)
  - ENAA Secretariat
- Bulgarian Presidency (2018)
  - Law Enforcement Working Party of the Council
  - European Network on the Administrative Approach tackling serious and organised crime (ENAA)
- Finnish Presidency (2019)
  - Barrier Model on Synthetic Drugs
  - Barrier Model on Organised Property Crime
- Croatian Presidency (2020)
  - Third EU Handbook
- German Presidency (2020)
  - Multi-Annual Plan 2021-2025



# About ENAA

## ■ Structure

- ENAA is headed by 27 National Contact Points (NCPs)
- 7 Member States (BE, IT, NL, PL, FI, HR, DE) are represented in the Core Group
- The chair rotates every six months according to the Presidency of the Council of the European Union.
- Secretariat



## ■ Target Groups

- Practitioners and policymakers at local and national level
- Relevant EU and international agencies, organisations, working groups, etc.



# The administrative approach



# Third EU Handbook

- Criminals do not operate purely in the illegal atmosphere
- Investing in legal activities and businesses
- Tenders for government contracts
- The 'business processes' of organised crime also require legal facilities

➤ **An administrative approach applied in addition to or coordinated with the traditional instruments of criminal law is a potentially powerful tool to prevent and combat serious and organised crime**



# The Administrative Approach



**“An administrative approach to serious and organised crime is a complementary 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.”**

# Pillars of the Administrative Approach



1. Prevent and tackle the misuse of the legal infrastructure by serious and organised crime
2. Complementary
3. Multi-agency cooperation
4. Sharing of information
5. Take actions to set up barriers

# The barrier model

- The barrier model is a method for determining which barriers the partner organisations can set up against criminal activities
  - For every component of production, transport, sales, etc. of a criminal phenomena, it is reviewed which partner is in the best position to prevent criminal organisations or persons from abusing legal structures
  - The different barriers imply several signals where government agencies, companies, persons, come into contact with synthetic drugs and can notify the authorities



# The European barrier model on Synthetic Drugs



# The barrier model to countering Synthetic Drugs

## Dutch Centre for Crime Prevention and Security (CVV)



	Purchase / sell materials	Purchase / sell equipment	Purchase location	Build the lab	Produce	Dump waste	Use gains
Service providers							
Opportunities							
Signals							
Partners							
Barriers							



# The EU barrier model to countering Synthetic Drugs



Facilitators	Opportunities	Signals	Partners	Barriers
<ul style="list-style-type: none"> <li>- Car rental companies</li> <li>- Transporteurs (Road)</li> <li>- Drivers</li> <li>- Chemical producers</li> <li>- Chemical traders</li> <li>- Chemical retailers (+ hardware)</li> <li>- Customs</li> <li>- Packaging industries</li> <li>- Shipbrokers (Cargo)</li> <li>- Branch shops</li> <li>- Storage hops</li> <li>- Authority for funding company abroad</li> <li>- Trading companies</li> <li>- China</li> <li>- India</li> <li>- Harbors</li> <li>- Airports</li> <li>- Internet (Dark web)</li> <li>- Pharmasist</li> <li>- Lobby of pharmasist companies</li> <li>- Postal delivery services</li> <li>- Family transport business</li> </ul>	<ul style="list-style-type: none"> <li>- Harbour staff</li> <li>- Airports, harbours and trains in EU countries and abroad</li> <li>- EU Border &gt; China</li> <li>- Mislabelling resource</li> <li>- Legal chemical industry</li> <li>- Lack of EU equal or common legislation</li> <li>- EU P.O.I. chemicals</li> <li>- Registration strangers risk company</li> <li>- Chemical professionals (recruitment in universities)</li> <li>- Lack of cooperatism</li> <li>- Open borders</li> <li>- No customs</li> <li>- Chemical substance only for illegal products</li> <li>- Lack of knowledge of chemical material</li> <li>- Learning on social media</li> <li>- Learning in prison</li> </ul>	<ul style="list-style-type: none"> <li>- Strange- or mislabelling</li> <li>- Source country route in to EU</li> <li>- Persons related to companies</li> <li>- Fake companies</li> <li>- New precursors (warning system)</li> <li>- Chemical substances only for illegal products</li> </ul>	<ul style="list-style-type: none"> <li>- Customs services EU</li> <li>- Tax authorities</li> <li>- FIOD</li> <li>- Security companies</li> <li>- Harbour authorities</li> <li>- Chemical industries</li> <li>- Local police</li> <li>- Couriers (internet)</li> <li>- Harbour profile analyst risk</li> <li>- Chamber of Commerce</li> <li>- Prosecution office</li> <li>- Toll companies</li> <li>- Eu (legislation)</li> <li>- MAOC</li> <li>- JMCB – EMCDDA</li> <li>- Pharmasist</li> <li>- Forensic lab</li> <li>- Postal delivery services</li> <li>- Transport services</li> </ul>	<ul style="list-style-type: none"> <li>- Act on preparing</li> <li>- EU P.O.I chemicals</li> <li>- Screening companies (import)</li> <li>- Cooperation chemical industry (suspect behavior)</li> <li>- Social control and awareness (local police)</li> <li>- Training for professionals: knowlegde</li> <li>- HARK team: multi disciplinair teams</li> <li>- Billetaral teams: police, justice, customs</li> <li>- Awareness chemical univerities</li> <li>- Making common law in EU</li> <li>- Port</li> <li>- List of chemicals</li> </ul>

## Acquiring raw materials

1

## Acquiring location

2

## Setting up location

3

### Facilitators

- Car rental companies
  - Transporteurs (road)
  - Drivers
  - Chemical producers
  - Chemical retailers (+ hardware)
  - Customs
  - Packaging industries
  - Shipbrookers (cargo)
  - Branche shops
  - Storage shops
  - Authority for funding company abroad
  - Trading companies
  - China
  - India
  - Harbours
  - Harbour staff
  - Airports
  - Internet (Dark Web)
  - Pharmasist
  - Lobby of pharmasist companies
  - Postal delivery services
  - Family transport business
- Owner of location facilities
  - Real estate offices
  - Internet and websites (location)
  - Production of hardware
- Family in country sides

Acquiring raw materials 1	Acquiring location 2	Setting up location 3
<b>Opportunities</b>		
<ul style="list-style-type: none"> <li>○ Airports, harbours and trains in EU countries and abroad</li> </ul>	<ul style="list-style-type: none"> <li>○ Vulnerable 'entrepreneurs' (with financial problems)</li> </ul>	<ul style="list-style-type: none"> <li>○ No contract for rent</li> </ul>
<ul style="list-style-type: none"> <li>○ EU border with China</li> </ul>		<ul style="list-style-type: none"> <li>○ Exploiting poor people</li> </ul>
<ul style="list-style-type: none"> <li>○ Mislabelling resource</li> </ul>		<ul style="list-style-type: none"> <li>○ Low education</li> </ul>
<ul style="list-style-type: none"> <li>○ Legal chemical industry</li> </ul>		<ul style="list-style-type: none"> <li>○ Willingness to report</li> </ul>
<ul style="list-style-type: none"> <li>○ Lack of EU equal or common legislation</li> </ul>		<ul style="list-style-type: none"> <li>○ Cash payment for rent</li> </ul>
<ul style="list-style-type: none"> <li>○ EU P.O.I. Chemicals</li> </ul>		
<ul style="list-style-type: none"> <li>○ Registration strangers risk company</li> </ul>		
<ul style="list-style-type: none"> <li>○ Chemical professionals (recruitment in universities)</li> </ul>		
<ul style="list-style-type: none"> <li>○ Lack of cooperatism</li> </ul>		
<ul style="list-style-type: none"> <li>○ Open borders</li> </ul>		
<ul style="list-style-type: none"> <li>○ No customs</li> </ul>		
<ul style="list-style-type: none"> <li>○ Chemical substance only for illegal products</li> </ul>		
<ul style="list-style-type: none"> <li>○ Lack of knowledge of chemical material</li> </ul>		
<ul style="list-style-type: none"> <li>○ Learning on social media</li> </ul>		
<ul style="list-style-type: none"> <li>○ Learning in prison</li> </ul>		

Acquiring raw materials 1	Acquiring location 2	Setting up location 3
<b>Signals</b>		
<ul style="list-style-type: none"> <li>○ Strange or mislabelling</li> </ul>	<ul style="list-style-type: none"> <li>○ Sudden security measures</li> </ul>	<ul style="list-style-type: none"> <li>○ High level of water and electricity</li> </ul>
<ul style="list-style-type: none"> <li>○ Source country route in to Europe</li> </ul>	<ul style="list-style-type: none"> <li>○ Changed abnormal behavior</li> </ul>	<ul style="list-style-type: none"> <li>○ Fulltime activity</li> </ul>
<ul style="list-style-type: none"> <li>○ Persons related to companies</li> </ul>		<ul style="list-style-type: none"> <li>○ Smell</li> </ul>
<ul style="list-style-type: none"> <li>○ Fake companies</li> </ul>		<ul style="list-style-type: none"> <li>○ New people, new activities</li> </ul>
<ul style="list-style-type: none"> <li>○ New precursors (warning system)</li> </ul>		<ul style="list-style-type: none"> <li>○ 24h process, light during night</li> </ul>
<ul style="list-style-type: none"> <li>○ Chemical substances only for illegal products</li> </ul>		<ul style="list-style-type: none"> <li>○ Payment in cash</li> </ul>

1 Acquiring raw materials	2 Acquiring location	3 Setting up location
<b>Partners</b>		
<ul style="list-style-type: none"> <li>○ Customs services EU</li> </ul>	<ul style="list-style-type: none"> <li>○ Local police</li> </ul>	<ul style="list-style-type: none"> <li>○ Water and electricity companies</li> </ul>
<ul style="list-style-type: none"> <li>○ Tax authorities</li> </ul>	<ul style="list-style-type: none"> <li>○ Habitants (suspect behaviour)</li> </ul>	<ul style="list-style-type: none"> <li>○ Private housing market</li> </ul>
<ul style="list-style-type: none"> <li>○ FIOD</li> </ul>	<ul style="list-style-type: none"> <li>○ Local communities and mayor</li> </ul>	<ul style="list-style-type: none"> <li>○ Isolation retailers</li> </ul>
<ul style="list-style-type: none"> <li>○ Security companies</li> </ul>	<ul style="list-style-type: none"> <li>○ Fire department</li> </ul>	<ul style="list-style-type: none"> <li>○ Community</li> </ul>
<ul style="list-style-type: none"> <li>○ Harbour authorities</li> </ul>	<ul style="list-style-type: none"> <li>○ Electricity, water and gas companies</li> </ul>	
<ul style="list-style-type: none"> <li>○ Chemical industries</li> </ul>		
<ul style="list-style-type: none"> <li>○ Local police</li> </ul>		
<ul style="list-style-type: none"> <li>○ Couriers (internet)</li> </ul>		
<ul style="list-style-type: none"> <li>○ Harbour profile analyst risk</li> </ul>		
<ul style="list-style-type: none"> <li>○ Chamber of Commerce</li> </ul>		
<ul style="list-style-type: none"> <li>○ Prosecution office</li> </ul>		
<ul style="list-style-type: none"> <li>○ Toll companies</li> </ul>		
<ul style="list-style-type: none"> <li>○ Europol (analysis)</li> </ul>		
<ul style="list-style-type: none"> <li>○ EU - legislation</li> </ul>		
<ul style="list-style-type: none"> <li>○ MAOC</li> </ul>		
<ul style="list-style-type: none"> <li>○ JMCB - EMCDDA</li> </ul>		
<ul style="list-style-type: none"> <li>○ Pharmasist</li> </ul>		
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<ul style="list-style-type: none"> <li>○ Postal delivery services</li> </ul>		
<ul style="list-style-type: none"> <li>○ Transport services</li> </ul>		

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### Barriers

- Act on preparing
- EU R.O.I. chemicals
- Screening companies (import)
- Cooperation chemical industry (suspect behavior)
- Social control and awareness (local police)
- Training for professionals: knowlegde
- HARK team: multi disciplinair teams
- Billeteral teams: police, justice, customs
- Awareness chemical universities
- Making common law in EU
- List of chemicals
- Training in chemical for LE
- Monitoring prisoners and follow-up
- More easy international cooperation
- No cash transactions (rental)
- Administrative law: in order to enter facilities + seivvre
- Stopconversations with facilitators (Mayor)
- Health scanners
- Contract for rent
- Obligate rent though wire transfer
- Training of citizens

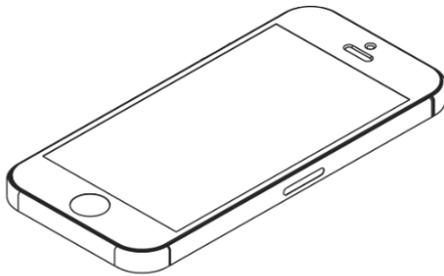


ENAA

# The European barrier model on Organised Property Crime



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Thank you!  
Questions?



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