



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 6 June 2011

11050/11

**JAI 396
COSI 46
ENFOPOL 184
CRIMORG 81
ENFOCUSTOM 52
PESC 718
RELEX 603**

NOTE

from:	Presidency
to:	COREPER/Council
No. prev. doc.	10088/2/11 REV 2 JAI 313 COSI 37 ENFOPOL 148 CRIMORG 66 ENFOCUSTOM 44 PESC 598 RELEX 492 9225/11 JAI 250 COSI 28 ENFOPOL 121 CRIMORG 52 ENFOCUSTOM 34 PESC 513 RELEX 401 15358/10 COSI 69 ENFOPOL 298 CRIMORG 185 ENFOCUSTOM 94
Subject:	Draft Council conclusions on setting the EU's priorities for the fight against organised crime between 2011 and 2013

1. The 2011-2013 EU policy cycle for organised and serious international crime¹ requires that the Standing Committee on operational cooperation on internal security (COSI) and the Commission produce a Policy Advisory Document (PAD) on the basis of the 2011 EU Organised Crime Threat Assessment (OCTA 2011). The draft PAD, which was produced by the Presidency with input from the Commission, builds upon the executive summary of the EU OCTA 2011² and seeks to assist COSI in submitting to the Council draft conclusions setting the EU's new priorities for the fight against organised crime between 2011 to 2013.

¹ doc. 15358/11

² doc. 8709/11

2. At its meeting of 1 June 2011, COSI reached general agreement on the Policy Advisory Document for the years 2011 to 2013, as set out in doc. 9225/4/11 REV 4, and on the draft Council conclusions on setting the EU's priorities for the fight against organised crime between 2011 and 2013.

3. Coreper is, therefore, invited to confirm the agreement on the draft Council conclusions as set out in the annex and to submit them to the Council for approval.

DRAFT
COUNCIL CONCLUSIONS ON SETTING THE EU'S PRIORITIES FOR THE FIGHT
AGAINST ORGANISED CRIME BETWEEN 2011 AND 2013

THE COUNCIL OF THE EUROPEAN UNION

HAVING REGARD TO the Council conclusions on the creation and implementation of an EU policy cycle for organised and serious international crime (EU policy cycle),¹ which establish a multi-annual policy cycle and clear methodology for setting, implementing and evaluating priorities in the fight against organised and serious international crime,

RECALLING that between 2011 and 2013, an initial and reduced policy cycle should be implemented on the basis of the EU Organised Crime Threat Assessment (OCTA) 2011,

TAKING NOTE OF the priorities and tasks in the fight against organised crime that were set out in strategic documents, such as the Stockholm Programme,² the Internal Security Strategy,³ the Commission communication on the Internal Security Strategy in Action,⁴ the Council conclusions on the Commission communication on the European Union internal security strategy in action,⁵ the European Pact to combat international drug trafficking – disrupting cocaine and heroin routes,⁶ the EU Drugs Action Plan for 2009 - 2012⁷, the Council Resolution on the EU Customs Action Plan to combat IPR infringements for the years 2009 and 2012⁸, the Council resolution on a reinforced strategy for customs cooperation⁹ and the Council conclusions on the contribution of the customs authorities to the implementation of the Stockholm Programme in the fight against serious and organised cross-border crime¹⁰.

¹ doc. 15358/10 COSI 69 ENFOPOL 298 CRIMORG 185 ENFOCUSTOM 94

² OJ C 115, 4.5.2010, p. 1

³ doc. 7120/10 JAI CO EUR-PREP 8 JAI 182

⁴ doc. 16797/10 JAI 990

⁵ doc. 6699/11 JAI 124

⁶ doc. 8821/10 JAI 320 COSI 20 CORDROGUE 40 CRIMORG 79 JAIEX 39

⁷ doc. 16116/08 CORDROGUE 85 SAN 281 ENFOPOL 237 RELEX 944

⁸ OJ C 71, 25.3.2009, p. 1

⁹ OJ C 260, 30.10.2009, p.1

¹⁰ doc. 8096/11 JAI 183 ENFOCUSTOM 18

STRESSING that the actions to implement the above strategic documents must remain consistent with the present Council priorities and the EU policy cycle,

HIGHLIGHTING the importance of setting a limited number of priorities for the fight against organised crime in the EU policy cycle between 2011 and 2013 that can be realistically implemented at European and, where relevant, national or regional level against agreed strategic goals and via EU annual Operational Action Plans,

UNDERSCORING that national competent authorities, including the police, border guard, customs, judicial and administrative authorities, and the EU's institutions and agencies must cooperate very closely in implementing the present priorities and aim to strike a balance between prevention and tackling the consequences of threats to EU security posed by organised crime,

EMPHASISING that the Internal Security Strategy calls for a broad, pragmatic, flexible and realistic approach and that, therefore, authorities must retain a margin of flexibility to address unexpected or emerging threats to EU security,

STRESSING that the external dimension of internal security and cooperation with third countries ought to be taken into account in implementing the Council priorities and the EU policy cycle, notably by improving operational law enforcement cooperation with third countries and helping to strengthen the operational capacity of third countries' law enforcement authorities,

CONSIDERING Europol's analysis and recommendations formulated in the EU OCTA 2011,

RECALLING that the Standing Committee on operational cooperation on internal security (COSI), set up under Article 71 TFEU, facilitates, promotes and strengthens coordination of operational actions of the authorities of the Member States competent in the field of internal security,

THE COUNCIL sets the following priorities, in no particular order, for the fight against organised crime between 2011 and 2013:

- Weaken the capacity of organised crime groups active or based in West Africa to traffic cocaine and heroin to and within the EU;

- Mitigate the role of the Western Balkans, as a key transit and storage zone for illicit commodities destined for the EU and logistical centre for organised crime groups, including Albanian-speaking organised crime groups;
- Weaken the capacity of organised crime groups to facilitate illegal immigration to the EU, particularly via southern, south-eastern and eastern Europe and notably at the Greek-Turkish border and in crisis areas of the Mediterranean close to North Africa;
- Reduce the production and distribution in the EU of synthetic drugs, including new psychoactive substances;
- Disrupt the trafficking to the EU, particularly in container form, of illicit commodities, including cocaine, heroin, cannabis, counterfeit goods and cigarettes;
- Combat against all forms of trafficking in human beings and human smuggling by targeting the organised crime groups conducting such criminal activities in particular at the southern, south-western and south-eastern criminal hubs in the EU;
- Reduce the general capabilities of mobile (itinerant) organised crime groups to engage in criminal activities;
- Step up the fight against cybercrime and the criminal misuse of the internet by organised crime groups.

INSTRUCTS COSI, within its mandate¹ and as specified in the Council conclusions on the creation and implementation of an EU policy cycle for organised and serious international crime, to coordinate, support, monitor and evaluate, as set out in the EU policy cycle, the implementation of strategic goals and annual Operational Action Plans for each priority. In line with the Council conclusions on the Commission communication on the internal security strategy in action, COSI must ensure consistency in the implementation of operational actions necessary to strengthen internal security within the Union, including effective cooperation between the relevant national authorities and between the EU agencies. In particular, it must ensure that the actions to be brought forward to implement the Internal Security Strategy in the area of serious and organised crime remain consistent with the strategic goals that COSI is due to adopt, and the annual Operational Action Plans that COSI is due to validate, on the basis of crime priorities hereby established by the Council. COSI must also liaise with the relevant Council preparatory bodies to ensure that these crime priorities are taken into account in other policy areas, particularly in the Union's external action,

INVITES all Council preparatory bodies, with due regard for the provisions of the Treaties, to take these priorities into account in their respective policy fields,

INVITES the Commission, in cooperation with COSI, to ensure that the implementation of the Internal Security Strategy reflects a shared agenda for action and that the strategic objectives for internal security developed by the Commission regarding the fight against serious and organised crime remain consistent with the priorities hereby established by the Council,

INVITES the Commission, in line with the Council conclusions on the creation and implementation of an EU policy cycle for organised and serious international crime,² to review funding (e.g. the ISEC mechanism, etc.) to support the implementation of the priorities and to consider the feasibility of setting up of an Internal Security Fund in order to effectively support the activities agreed upon within the EU policy cycle,

¹ OJ L 52, 3.3.2010, p. 50

² doc. 15358/10 COSI 69 ENFOPOL 298 CRIMORG 185 ENFOCUSTOM 94

ENCOURAGES Member States to use asset recovery and to target criminal finances to combat organised crime, including the laundering of financial assets illicitly gained by organised crime groups,

APPEALS TO Member States to actively use, in addition to the traditional criminal justice-based approach, alternative and complementary approaches and instruments to fight organised crime,¹

INVITES Member States to commit the necessary resources, wherever relevant, to implementing this policy cycle and ensuring coordination between the policy and operational levels.

¹ The Complementary approaches and actions to prevent and combat organised crime: A collection of good practice examples from EU Member States (doc. 10899/11 JAI 380 COSI 44 CRIMORG 77 ENFOPOL 179), compiled by the Hungarian Presidency, lists a number of best practices to prevent and combat organised crime