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## OUTCOME OF PROCEEDINGS

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To:	Delegations

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Subject:	Council conclusions on mapping the most threatening criminal networks – Council conclusions (13 June 2024)
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Delegations will find in the annex the Council conclusions on mapping the most threatening criminal networks, approved by the Council (Justice and Home Affairs) at its 4031<sup>st</sup> meeting held on 13 June 2024.

**Council conclusions on mapping the most threatening criminal networks****Introduction**

- a) Organised crime, including illicit drug trafficking, represents a major threat to European citizens, businesses and institutions, as well as to the European economy and to Member States' security. Criminal networks increasingly use extreme violence, corruption, and infiltration of the licit economy and supply chains, thus eroding the rule of law and endangering the fundamental principles of our democracies.
- b) The EU Strategy to tackle organised crime 2021-2025<sup>1</sup> aims to boost law enforcement and judicial cooperation, tackle organised crime structures and high priority crimes, remove criminal profits and ensure a modern response to technological developments. The EU Drugs Strategy 2021-2025<sup>2</sup> and the EU Drugs Action Plan 2021-2025<sup>3</sup> provide the overarching political framework on drugs policy. They take an evidence-based, integrated, balanced and multidisciplinary approach to the drugs phenomenon at national, EU and international level. More recently, the Commission Communication on the EU roadmap to fight drug trafficking and organised crime<sup>4</sup> sets out actions on strengthening the resilience of logistic hubs, including via the European Ports Alliance, on dismantling high-risk criminal networks, on prevention and on international cooperation.

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<sup>1</sup> 8085/21 + ADD 1

<sup>2</sup> EU Drugs Strategy 2021-2025: OJ C 102I of 24.3.2021, p. 1

<sup>3</sup> EU Drugs Action Plan 2021-2025: OJ C272 of 8.7.2021, p. 2

<sup>4</sup> 14114/23

- c) Building on this framework, it is essential to take impactful action, including on drug-related organised crime, in a collaborative effort by EU Member States, institutions and agencies, and in a multifaceted approach. These conclusions address the aspects of these actions relating to the emergence and proliferation of criminal networks as a growing threat to security and stability across Europe, necessitating a robust concerted and effective response from the European Union.
- d) The EU Strategy to tackle organised crime 2021-2025 highlighted the need for a ‘more robust intelligence picture of the organised crime groups that are at the heart of the complex web of organised crime networks’ and called on Europol and the Member States ‘to develop intelligence-led strategic and tactical pictures on those groups that pose a greater threat to Europe’s security, including through the development of ad hoc reports that complement the EU Serious and Organised Crime Threat Assessment (SOCTA)’.
- e) In line with the EU Strategy to tackle organised crime 2021-2025, the Council conclusions setting the EU’s priorities for the fight against serious and organised crime for EMPACT 2022-2025<sup>5</sup> also adopted the identification and disruption of high-risk criminal networks (HRCN)<sup>6</sup> active in the EU as a new priority and as one of the common horizontal strategic goals (CHSG), bringing together the law enforcement and judicial authorities of EU Member States and their international partners (including 37 third countries in 2023), with support from EU institutions, agencies, and bodies.
- f) One of the important strategic goals within the HRCN priority is to strengthen the intelligence picture of the most threatening networks.
- g) According to the EU roadmap to fight drug trafficking and organised crime, specific attention should be paid to those networks that pose the biggest threat to our society and the public.
- h) Furthermore, the EU roadmap called for Europol, with the support of the Member States, to conduct a mapping exercise in early 2024 to identify the criminal networks that pose the biggest threats, whether they operate in EU or non-EU countries.

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<sup>5</sup> 8665/21

<sup>6</sup> 14542/2/23 REV 2

- i) In April 2024, Europol delivered its report ‘Decoding the EU’s most threatening criminal networks’, which represents a key milestone in understanding the dynamics and complexities of the most threatening criminal networks.
- j) The report constitutes an important complementary intelligence picture to the EU SOCTA by analysing in more detail the capabilities and intent of the key players responsible for these crimes and by describing the characteristics of the criminal networks that pose the main threat to the EU’s internal security.
- k) Europol’s report resulted in a unique dataset detailing the 821 most threatening criminal networks, with extensive information on their activities, the nationalities of their members and their modus operandi, as well as on their use of legal business structures, connections to other criminal networks and relations with other countries. All of this information is available in one centralised database within Europol.
- l) According to Europol’s report, these criminal networks exhibit a remarkable agility to adapt their criminal business processes, are able to combine flexibility with a high degree of resilience to law enforcement disruption and make use of money laundering techniques, such as underground banking, often blending illicit profits with legal assets in ways that do not involve any financial transactions.
- m) The report underlines that 86 % of the most threatening criminal networks make use of legal business structures (LBS) as a way of facilitating their criminal activities, as a countermeasure to avoid detection, or for money laundering purposes. It highlights that the majority of the most threatening criminal networks focus on one criminal activity, with drug trafficking activities as the most prominent crime area.
- n) The most threatening criminal networks are often very long-lasting ones (with one third of them being active for over 10 years). Europol’s report concludes that law enforcement action should maintain the focus on these networks, even if they are already under law enforcement scrutiny.

- o) Taking into account that the abovementioned report is the first of its kind, some important intelligence gaps were detected. Firstly, for about one fifth of the reported networks it was not known whether they use violence or corruption. Secondly, for more than a third of the most threatening criminal networks no information was available on the extent of their criminal proceeds. Thirdly, there is an intelligence gap concerning the origin of firearms and explosives and the networks involved in their trafficking.
- p) Exchanges of views with regard to mapping the criminal networks that pose the biggest threats to society were held at both the informal meeting and the formal meetings of the Standing Committee on Operational Cooperation on Internal Security (COSI) during the Belgian Presidency.

## **Conclusions of the Council**

### **General considerations:**

1. Reaffirming the commitment to tackling serious and organised crime and acknowledging the persistent threat posed by the most threatening criminal networks to the safety, security, and prosperity of the European Union and its citizens.
2. Recognising the evolving nature and sophistication of these networks and emphasising the importance of enhancing intelligence-gathering capabilities with the aim of stepping up operational cooperation among Member States and EU agencies.
3. Welcoming the valuable insights, conclusions and lessons learned of Europol's report 'Decoding the EU's most threatening criminal networks' and reaffirming the commitment to adopting a comprehensive and intelligence-led approach to combatting organised and serious crime – in particular high-risk criminal networks – through close cooperation between national competent authorities, including Member States' relevant law enforcement authorities, judicial authorities, EU institutions, bodies and agencies in line with their respective mandates.
4. Reaffirming the added value and pivotal role of the European Multidisciplinary Platform Against Criminal Threats (EMPACT), as a Member-State driven instrument, supported by EU institutions, bodies and agencies, that uses a multidisciplinary approach to identify, prioritise and address threats posed by serious and organised crime.
5. Welcoming the report and its follow-up actions further described in these Council conclusions as a necessary complement to the EU SOCTA and the EMPACT cycle, which are mainly driven by looking at criminal phenomena.

6. Acknowledging that the threat posed by serious organised crime transcends national borders and requires a collective strategic and operational response focusing on structures as a whole, based on enhanced cooperation through exchanging information, conducting joint investigations, and prosecuting the key members of the most threatening criminal networks with the active participation of EU Member States, the European Public Prosecutor's Office ('EPPO'), other EU agencies and international partners.
7. Highlighting that further developing the intelligence picture on high-risk criminal networks is a fundamental next step to further enhance our approach to dismantling them.
8. Convinced that it is necessary to further ensure an effective response to the threat posed by the most threatening criminal networks through policy, strategic, tactical, and operational measures, as relevant.
9. Reaffirming that Europol will continue to support and strengthen actions by the competent authorities of the Member States and their mutual cooperation in detecting, preventing and combatting serious and organised crime affecting two or more Member States.

**The Council invites the Member States to:**

10. Provide that their law enforcement services engage with Europol with a view to further exploiting and analysing the relevant data on criminal networks available in Europol in order to complement and integrate, where relevant, their national intelligence positions with regard to those criminal networks.
11. Ensure that – through the applicable rules and procedures – their law enforcement services are able to share the relevant information with the law enforcement services of other EU Member States or third partners.
12. Request the drivers, co-drivers and action leaders and co-leaders of the relevant EMPACT priorities to further exploit the results of Europol’s report with a view to taking the necessary steps to further focus EMPACT actions on the most threatening criminal networks identified.
13. Request their competent authorities to take into account the relevant results of the report to further guide the prioritised support from Europol through the HVT/OTF concept, joint investigation teams and targeted EMPACT operational actions.
14. Conduct pro-active and all-encompassing investigations with regard to priority criminal networks in order to include all relevant supporting activities of those networks, and contact Eurojust, where relevant, to facilitate the early involvement of relevant judicial authorities with a view to further supporting the investigation and prosecution of key members of the most threatening criminal networks.
15. Request their national authorities to further invest in and strengthen financial investigations, either in isolation or in parallel with those focusing on other criminal offences, involving Eurojust and other stakeholders where relevant, to ensure effective asset recovery of proceeds of crime - in line with Directive (EU) 2024/1260 on asset recovery and confiscation - and enhance the fight against corruption and money laundering.



16. Further develop their national scanning and detection methodologies in order to detect more comprehensively and accurately the most threatening criminal networks active in their Member State. In this context, Member States are invited to consider their participation in the creation of a common organised crime diagnostic methodology as already provided for in the OAP 2024-2025 within the EMPACT HRCN priority. This methodology should be further developed over the coming years so that each Member State may apply it in a flexible manner fitting their own national organisation, but should eventually also determine standards to facilitate the comparing and mapping criminal networks' threats at EU level.
17. Enhance training and capacity-building initiatives for law enforcement personnel and judicial authorities to strengthen their capabilities in detecting, investigating, prosecuting, and disrupting the most threatening criminal networks, where relevant in close cooperation with CEPOL.

**The Council invites the Member States and Europol to:**

18. Integrate the result of the current mapping exercise into the EU SOCTA 2025 and take it into consideration when defining the new priorities of the next EMPACT Cycle 2026-2029, focusing in particular on the EMPACT Operational Action Plans (OAPs) 2026-2027 as a first step.
19. Conduct a mapping exercise on the most threatening criminal networks on a biennial basis starting with a report to be delivered in 2026 so that it can be taken into account in the EMPACT OAPs 2028-2029. As such, the results of the follow-up report should be integrated into the EU SOCTA/mid-term EU SOCTA and feed the EU biennial EMPACT OAPs. In order to minimise the workload and ensure an up-to-date overview of the most threatening networks, Europol will make the current dataset available to Member States and Member States will have the possibility to update their data continuously as deemed appropriate.

20. Further fine-tune – on the basis of the lessons learned and in collaboration with the SOCTA advisory group – the methodology for the mapping exercise by collecting more representative data and re-adjust the methodology on the basis of the threat indicators used for the further common analysis.
21. Jointly agree – in the context of and for future mapping exercises – on a common working definition of the most threatening criminal networks.
22. Look into the possibilities - while taking into account the progress made by Member States in further developing their national methodologies - of evolving to a report where the most threatening criminal networks' threat can be compared for relevant geographical areas within the EU.
23. Jointly close the intelligence gaps detected in the current report, with regard to the use of violence, the extent of criminal proceeds and the use of firearms. As to the latter further progress is needed on the complete establishment of National Firearms Focal Points, on the development of a harmonised collection of data on firearms seizures at national level and on the future contribution of data to the EU firearms hub in Europol.

**The Council invites the Commission to:**

24. Continue to support EMPACT and its operations as a Member State driven platform for a multidisciplinary approach to prevent and combat serious and organised crime, inter alia through providing adequate funding opportunities.
25. Make further progress on negotiating the EU agreements with the MENA and South American countries, for which the Council has already given its authorisation, in order to increase possibilities for the sharing of personal data with Europol and Eurojust.

**The Council further invites Europol to:**

26. Make the current dataset of criminal networks available to Member States in one single application or database in order to provide the Member States the opportunity to update their own data continuously, and roll out this application in the course of 2025 ensuring that Member States will only have direct access to their own data.
27. Publish a dedicated report by the end of 2024 on the use of legal business structures by the most threatening criminal networks. This report will also feed into the way forward with regard to the importance of further using the administrative approach as an important countermeasure in our fight against serious and organised crime.
28. Publish a dedicated report by the end of 2024 which provides more insight into the crime-terrorism nexus and the ways in which organised crime networks are linked to terrorist activities.

**The Council invites Member States and the European Commission to:**

29. Continue working to tackle serious and organised crime and promote the disruption of criminal infiltration into the legal economy through administrative action, using the ‘administrative approach’, and to step up efforts to prevent crime and in particular the recruitment of children and young people by organised crime groups, including by supporting the work of the relevant authorities at local, regional and national level in this endeavour.

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