Editorial

How to Tackle (Organized) Crime in Europe? The EU Policy Cycle on Serious and Organized Crime and the New Emphasis on Harm

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In 2010, the EU Council established a multi-annual policy cycle in order to (1) define priorities in the EU-wide “fight against serious international and organized crime,” on this basis (2) develop and (3) implement appropriate interventions to tackle the prioritized crime phenomena and (4) evaluate the results achieved in order to identify a new set of priorities for the following cycle. After a two-year trial cycle, the first policy-cycle started in 2013 and is due to last until 2017 (Europol, 2013: 9).

This policy cycle is a major innovation because it embodies a more rational, efficient and accountable policy-making, in which crime control goals are set on the basis of evidence and public arguments, and outcomes are objectively evaluated ex-post. Still today in the field of crime control it is common to set goals on the basis of emergencies, or the gut feelings of national policy leaders and to carry out no serious evaluation of policy outcomes (e.g., den Boer, 2006; Ratzel, 2013; Fijnaut, 2013).

The cycle draws from Europol’s Serious and Organised Crime Threat Assessment (SOCTA), which recommends the criminal activities and actors to be prioritized. A praiseworthy innovation of the SOCTA is its focus on the harms resulting from crime, which are considered a key criterion for establishing policy priorities. However, as argued more in detail below, the assessment of the harm should be carried out in a more systematic, transparent and open-minded way in order to meet the expectations raised by the EU Council.
The EU Policy Cycle on Serious International and Organized Crime

The multi-annual cycle on serious and organized crime consists of four phases, which are described in Europol's 2013 SOCTA as follows:

- **Step 1:** SOCTA — the Serious and Organised Crime Threat Assessment, developed by Europol delivers a set of recommendations based on an in-depth analysis of the major crime threats facing the EU.

- **Step 2:** Policy-setting and decision making — The Council of Justice and Home Affairs Ministers uses the recommendations of the SOCTA to define its priorities for the next four years. MASP - Multi-Annual Strategic Action Plans will be developed from the priorities in order to define the strategic goals for combating each priority threat (2013). These projects will set out yearly operational action plans (OAPs) to combat the priority threats. The first plans will be developed during 2013 to become operational in 2014.

- **Step 3:** Implementation and monitoring of annual OAP's on the basis of the MASPs using the framework of EMPACT (European Multidisciplinary Platform against Criminal Threats). COSI [the Standing Committee for the EU Internal Security, N.o.A.] invites the relevant MS and EU agencies to integrate the actions developed in the OAPs into their planning and strategy.

- **Step 4:** Review and assessment — the effectiveness of the OAPs and their impact on the priority threat will be reviewed. In the meantime, Europol continuously engages in horizon scanning to identify new threats and trends. In 2015, an interim threat assessment (SOCTA) will be prepared by Europol to evaluate, monitor and adjust (if required) the effort in tackling the priority threats (Europol, 2013: 9).

The new policy cycle is made possible by the new competencies attributed to EU institutions in the area of crime control by the Treaty of Lisbon, which became effective on 1 December 2009 (Fiijnaut, 2013). Within the new constitutional framework established in the amended Treaty on the Functioning of the European Union, the fight against (serious and organized) crime is considered a shared responsibility of the EU and its Member States (MS), thus becoming part of what was, until the Treaty of Lisbon, referred to as the First Pillar.

The Scope of Application

Despite the original focus on organized crime, the new competencies can be applied to a large spectrum of criminality. In fact, the EU never provided an