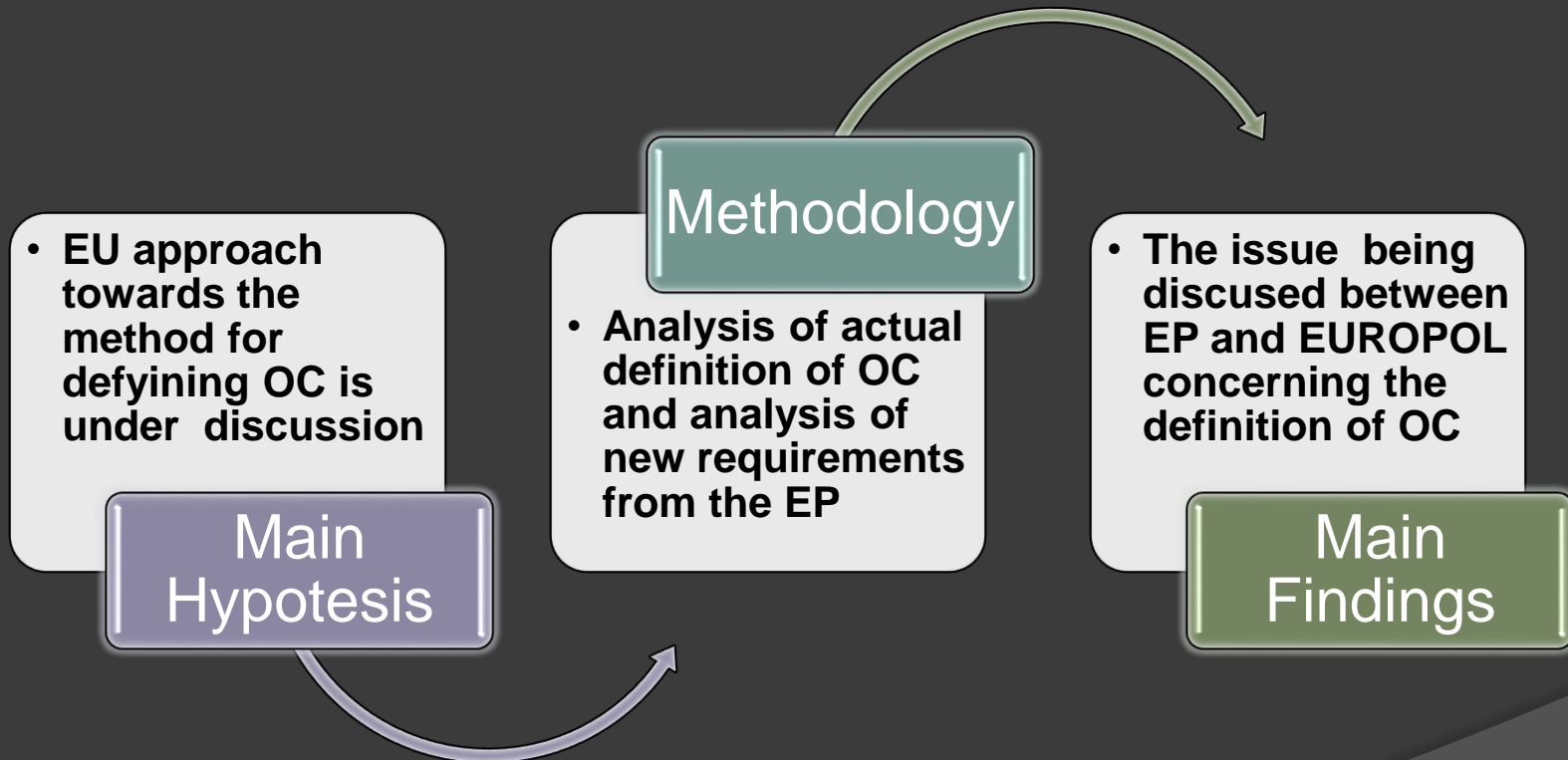


BEYOND ORGANISED CRIME

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UNIVERSITY OF CATANIA



OUTLINE



DEFINITION OF OC



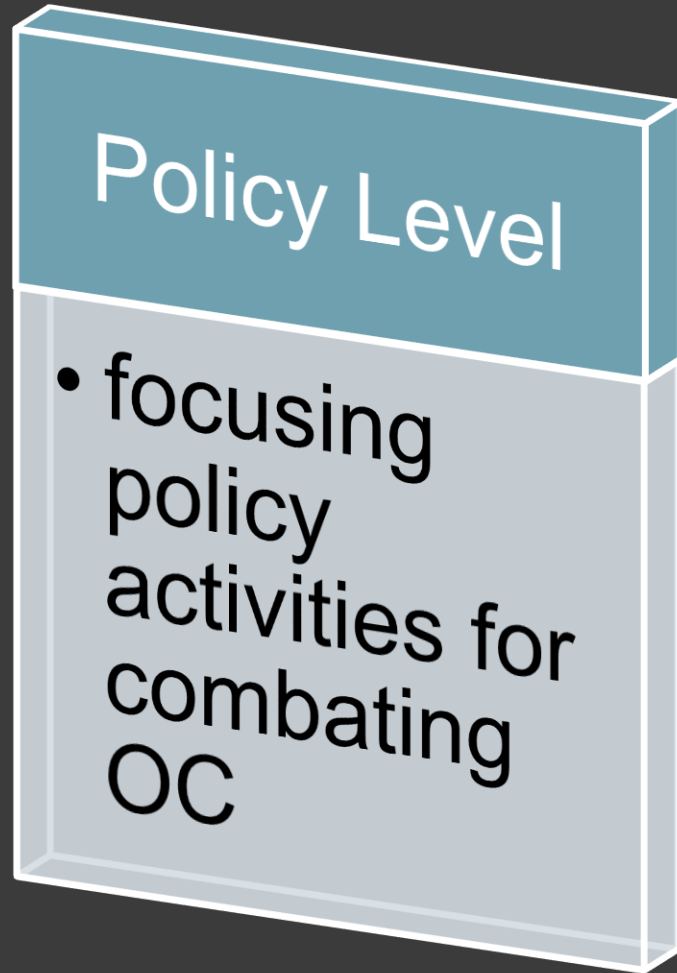
Why Defining



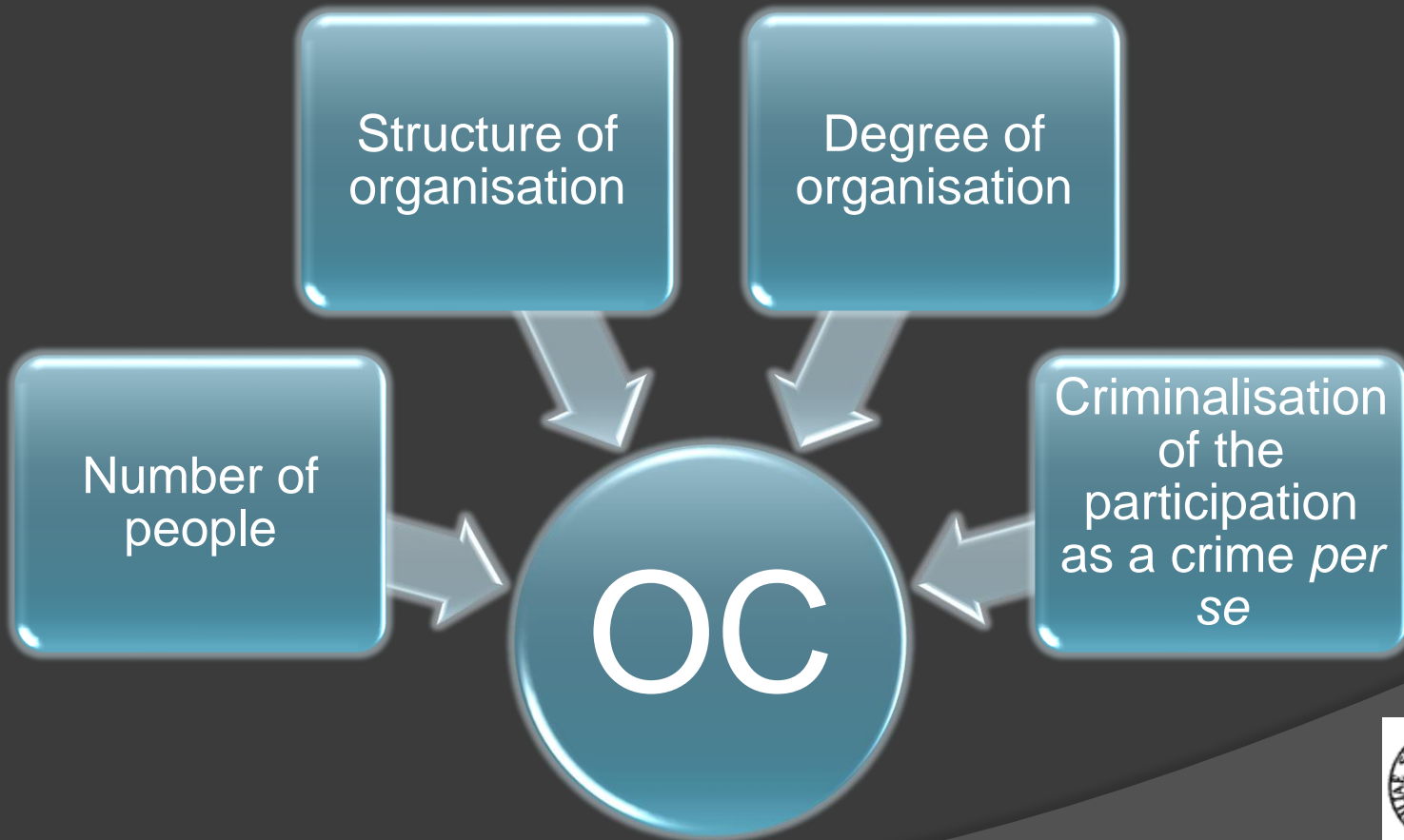
How Defining



Why defining ?



How Defining?



OC according the EU law (2008 FD): need for compromise

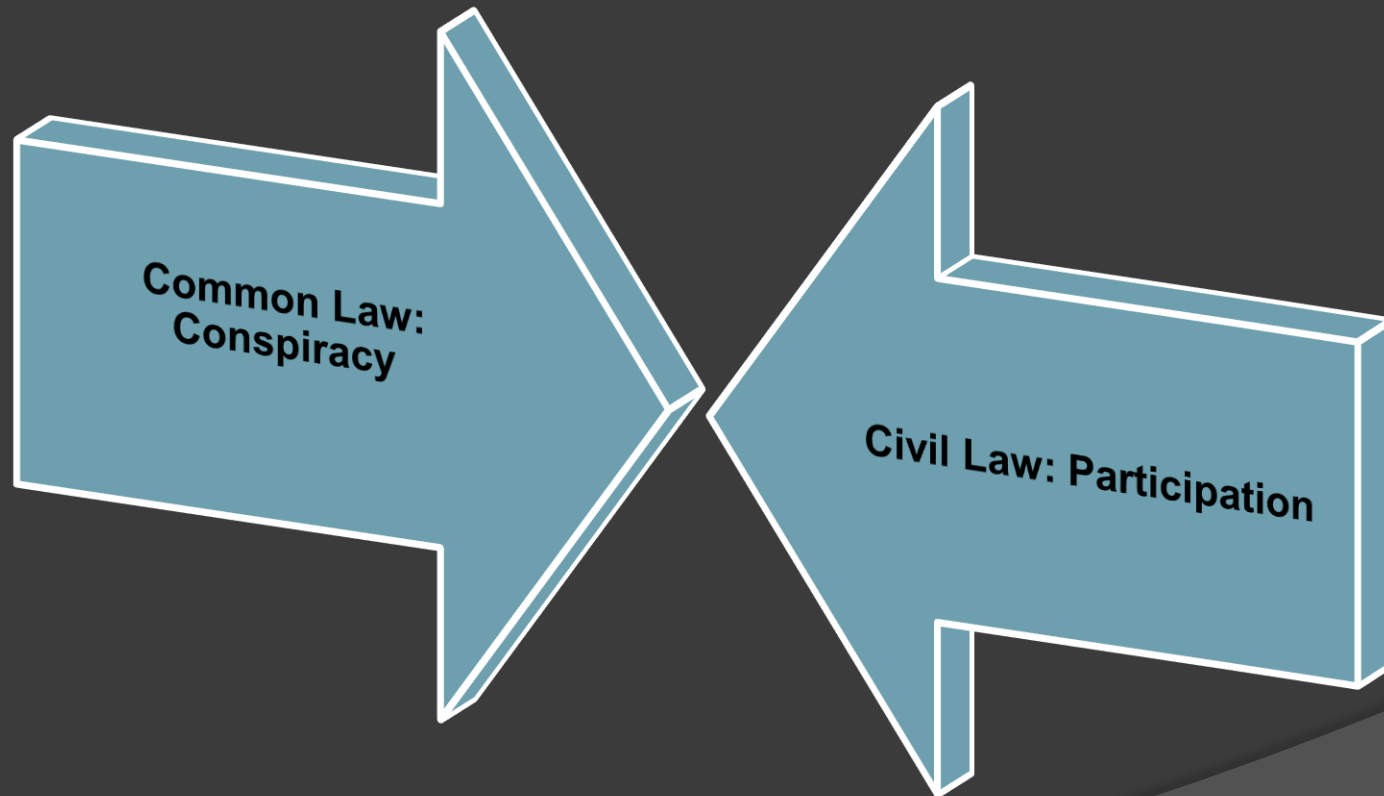
- collaboration of more than two persons
- for a prolonged or indefinite period of time
- suspected or convicted of committing serious criminal offences (intended as punishable by deprivation of liberty or a detention order of a maximum of at least four years or a more serious penalty - for organised crime)
- with the objective of pursuing profit and or other material benefit
- Operating/working on an international level in and/or outside the EU MS.



Two types of conduct MSs must punish at least one as offence

- ① 1) agreement on the perpetration of crimes without necessarily taking part in committing them
- ② 2) active participation in an organisation's criminal activities, with the knowledge of its aim or of its intention to commit crimes;

Compromise between traditions



Serious Crime according the SOCTA

- Serious crime refers to criminal activities deemed serious, i.e. worth reporting, while not meeting the OCG definition of the 2008 Framework Decision through criminal association.



Serious Crime according the EC (2008)

- ⦿ “...serious crime results “from the nature or impact of such offences or from a special need to combat them on a common basis” (European Council, 2008a).



List of serious crime with a cross border dimension : Article 83(1) TEU

- ⦿ “terrorism, trafficking in human beings and sexual exploitation of women and children, illicit drug trafficking, illicit arms trafficking, money laundering, corruption, counterfeiting of means of payment, computer crime and organised crime.”

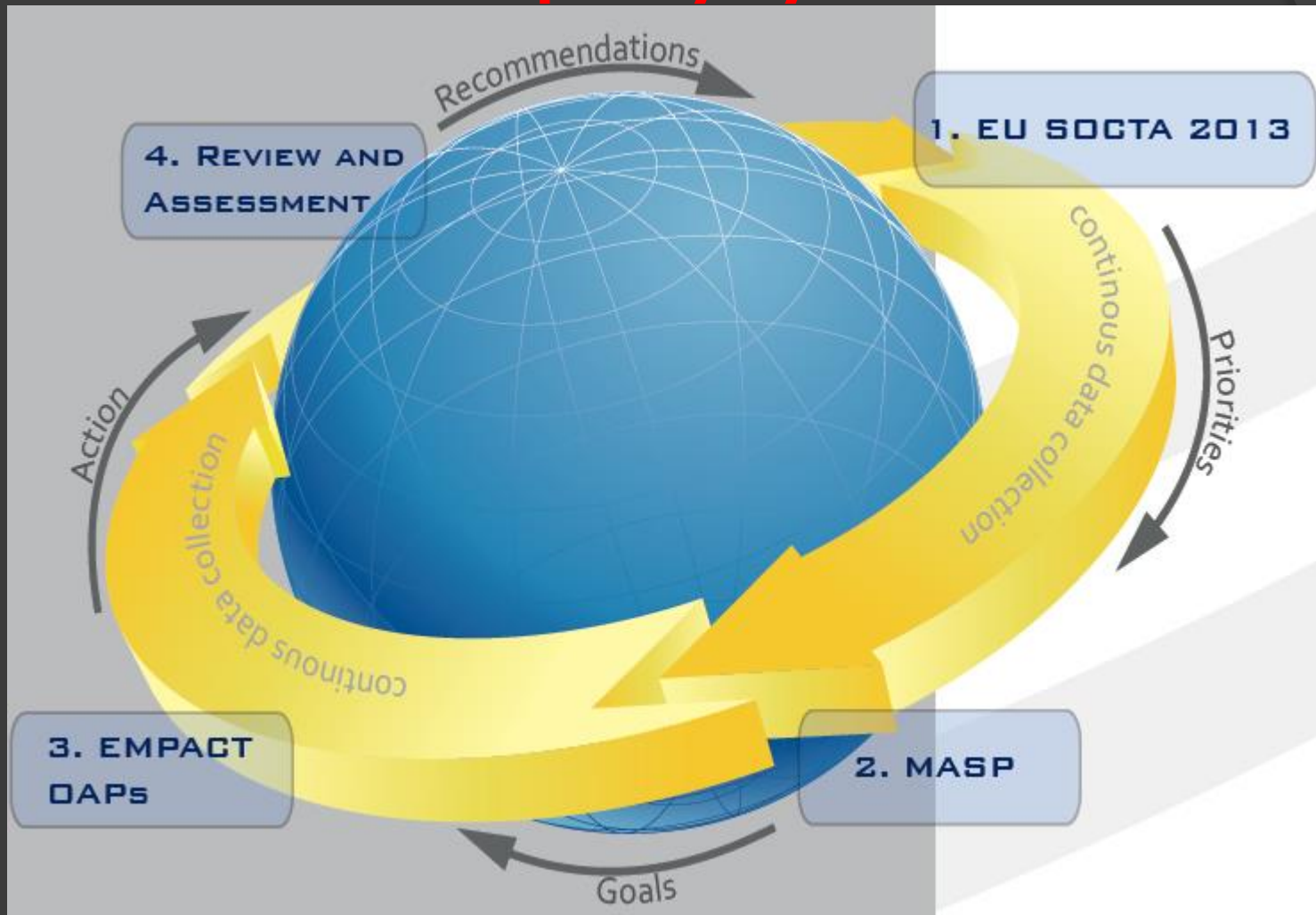


Crime Areas according the 2013 SOCTA

- Drugs
- Counterfeiting
- Crimes against persons
- Organised property crime
- Economic crimes
- Cybercrime
- Environmental crime
- Weapons trafficking



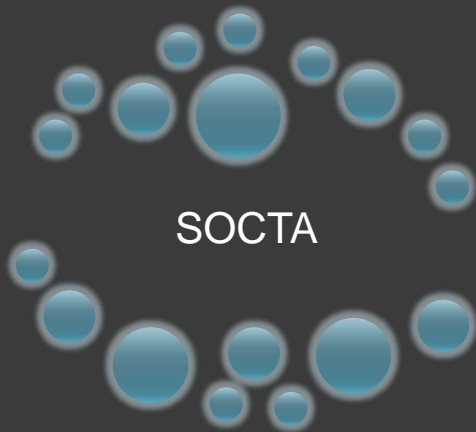
The policy cycle



Pictures:
Courtesy of
Europol



OC Definition



OC
As a
(updateable)
list of
offenses

Europol



CRIM EP COMMITTEE requests

P7_TA(2011)0459 + (2013/2107(INI)).

- Abolition of the dual approach
- a more concrete definition of organised crime
- key features of the phenomenon
- Specific regime for investigations
- Specific regime for trials



Two different approaches on OC in the EU



EP
Approach

Europol
Approach

