

Public consultation supporting the evaluation and the impact assessment of Council Framework Decision 2008/841/JHA on the fight against organised crime

Fields marked with * are mandatory.

Introduction

This consultation seeks your views on Council Framework Decision 2008/841/JHA[1] on the fight against organised crime.

Your views will contribute to the Commission's evaluation of the current Framework Decision and to the impact assessment for the new rules on organised crime.

[1] EUR-Lex - L:2008:300:TOC - EN - EUR-Lex.

2. General questions

Question

1. How familiar are you with the Council Framework Decision on the fight against organised crime (Council Framework Decision 2008/841/JHA)?

Answer

I don't know about the Framework Decision

Answer

I am aware of the existence of the Framework Decision, but I do not know about its objectives or requirements in detail

Answer

I have detailed knowledge of the Framework Decision

Question

2. To what extent do you agree with the following statements?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know/n/a
Member States and the EU are able to tackle organised crime			x			
The security risks associated with organised crime have risen in the past 15 years	x					
I feel directly affected by the security threat posed by organised crime	x					

at most 3 answered row(s) Question

2.1. Please explain your answer here:

Organised crime is increasingly taking advantage of migration and people's vulnerabilities, especially affecting women and girls. The use of online recruitment and businesses operating under the guise of legitimacy makes exploitation and trafficking harder to detect. While the EU and Member States have taken steps, current systems do not adequately respond to fast-evolving trafficking networks that exploit and commodify women.

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Question

3. To what extent do the following activities pose a risk to EU security?

at most 6 answered row(s)

	To a great extent	To some extent	To a limited extent	To no extent	Don't know
The presence in the EU of high-threat organised crime groups operating across borders	x				
Organised crime-related violence	x				
Organised crime-related corruption	x				
Infiltration of the legal economy by organised crime	x				
Undermining of state institutions by organised crime	x				

<p>The criminal activities carried out by organised crime groups, including trafficking of drugs, firearms, human beings, cultural goods, migrant smuggling, cybercrime, online sexual exploitation of children, fraud schemes and environmental crime</p>	<p>x</p>				
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Question

3.1. If possible, please explain your answer and provide examples

Organised crime exploits systemic gaps in migration and labour laws to traffic women into the system of prostitution. High-threat networks use legal business fronts (e.g., massage parlours, cleaning agencies) to hide exploitation, undermining the legal economy. Corruption of officials facilitates the transit of migrant women, while violence ensures victim silence. E.g The use of digital platforms for loverboy recruitment shows how quickly organised networks adapt compared to current EU protection.

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Question

4. Are the authorities in your area able to fight organised crime?

Answer

Yes

Answer

No

Answer

Not sure / Don't know

Question

We will now look back at the Framework Decision and its implementation between 2008 and the present. We will ask you questions about the Decision's effectiveness, efficiency, relevance, coherence, and EU added value, and about its possible impacts on fundamental rights.

Question

5. Has the level of violence and/or other crimes such as drug trafficking or criminal infiltration of the legal economy increased in your area over the past 15 years due to organised crime?

Answer

Yes

Answer

No

Answer

Not sure / Don't know

Question

6. How has the competent authorities' capacity to fight organised crime evolved over the past 15 years, as regards the following?

at most 6 answered row(s)

	Greatly improved	Somewhat improved	Not improved	Worsened	Don't know
Capacity to detect and map organised criminal groups				x	

Capacity to investigate organised criminal groups		x			
Capacity to prosecute organised crime			x		
Capacity to involve 'crown witnesses' (former members of criminal groups) in the prosecution of organised crime cases				x	
Capacity to cooperate with neighbouring countries to prevent and counter cross-border organised crime		x			
Other results (please specify in the box below)					

Question

Other results

Improved data-sharing tools but uneven implementation and limited focus on victim identification

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Question

6.1. Do you have any further comments on how efficient the current system is at fighting organised crime, with specific reference to the results listed above?

Exploitation moved from the street to apartments and digital platforms, making women harder to reach. Police focus on public order more than structural coercion and debt bondage used against women. The burden of proof remains on the women, leading to low conviction rates for traffickers. Migrant women fear deportation more than the traffickers; the lack of residency status makes them "unavailable" witnesses. Cross-border cooperation lacks unified data systems. Victims are not easily traceable and can be moved across and within countries without authorities being aware

500 character(s) maximum

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Question

7. Does the way in which powers are distributed among different national authorities have an impact on the effectiveness of the fight against organised crime?

Answer

Yes

Answer

No

Answer

Not sure / Don't know

9. Areas for further action

Question

19. To what extent do you agree with the following statements:

at most 8 answered row(s)

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The current legal and institutional framework are sufficient to fight criminal organisations in the EU effectively.					x	
The changes in organised crime activities over the past 15 years require a new and revamped criminal justice response.	x					
There should be a unified policy and criminal law response to organised crime across countries.	x					
Organised crime-related offences should be regarded as aggravated and be punished accordingly if the perpetrators use violence or firearms.	x					

<p>Organised crime-related offences should be regarded as aggravated and be punished accordingly if they involve corruption or infiltration of the legal economy.</p>	<p>x</p>					
<p>Organised crime-related offences should be regarded as aggravated and be punished accordingly if they involve the recruitment of minors.</p>	<p>x</p>					
<p>Organised crime-related offences should be regarded as aggravated and be punished accordingly if they involve hybrid threat actors.</p>	<p>x</p>					
<p>Organised crime-related offences should be regarded as aggravated and be punished accordingly if they involve threats against journalists or public officials.</p>		<p>x</p>				

Question

20. What would most improve the fight against organised crime in the EU? (*Select all those that apply*)

Answer

More funding and resources for police and criminal investigator

Answer

Police having better access to special investigative tools (e.g. surveillance, undercover operations, use of informants)

Answer

Stronger and clearer laws and especially new criminal offences and liability regimes

Answer

Ensuring that a solid intelligence picture underpins police actions

Answer

Higher penalties for participation in a criminal group

Answer

A criminal justice response that tackles the leaders and key actors of criminal organisations rather than the foot soldiers

Answer

More funding and resources for the judiciary

Answer

Stronger cooperation between EU countries

Answer

A stronger mandate for the European Union Agency for Law Enforcement Cooperation (Europol), to enhance its operational role in providing coordinated support to cross-border investigations

Answer

Improve coordination and complementarity between the European Union Agency for Law Enforcement Cooperation (Europol) and other EU agencies and bodies for internal security

Answer

A stronger mandate for EU agencies and bodies such as the European Union Agency for Criminal Justice Cooperation (Eurojust), and the European Public Prosecutor's Office (EPPO)

Answer

More powers for administrative authorities to fight criminal infiltration

Answer

Public awareness and education campaigns

Answer

Better national cooperation between the authorities within the countries

Answer

Better European cooperation between each Member State's national authorities

Answer

Better European cooperation between EU agencies and bodies and Member State national authorities

Answer

Clearer criteria to avoid conflicts of jurisdiction and to determine which Member State is responsible for prosecuting which action

Answer

Other (please specify):

Question

Other (please specify):

Improved cross-border and national data-sharing and systematic exchange of financial investigations. Applying the “follow the money” principle to disrupt criminal profits and networks. Seized assets should be ring-fenced for the unconditional support and compensation of women survivors, ensuring justice is restorative, not just punitive.

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Question

21. Do the police in your country have a good overview of organised crime (e.g. who are the main groups, who are their members, what are their activities and where do they operate from)?

Answer

Yes

Answer

No

Answer

Not sure / Don't know

Question

22. To what extent is the following important?

at most 4 answered row(s)

	Very important	Moderately important	Not very important	Not at all important	Don't know
For law enforcement authorities to be able to prioritise action against the most dangerous and violent organised crime groups rather than other groups presenting less of a threat	x				
To have specialised police investigative units that can handle organised crime cases	x				
To have specialised judges and prosecutors who can handle organised crime cases	x				

To involve all members of the public and stakeholders (civil society, researchers, museums, cultural organisations, academia and private entities) in the fight against organised crime	x				
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Question

23. To what extent do you agree with the following statements?

at most 10 answered row(s)

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
The special investigative tools available to the authorities in my country (e.g. surveillance, undercover operations, use of informants) are sufficient to investigate organised crime effectively.				x		

<p>The authorities in my country have sufficient tools to prompt the cooperation of crown or collaborating witnesses in organised crime cases.</p>					<p>X</p>	
<p>The authorities in my country have sufficient tools to protect investigative journalists or public officials involved in the fight against organised crime from retaliation.</p>					<p>X</p>	
<p>The authorities in my country have sufficient tools to fight transnational high-risk criminal networks based outside the EU.</p>					<p>X</p>	
<p>The offence for participating in organised crime in my country is sufficient to tackle the current criminal networks, their leaders, key actors and enablers.</p>					<p>X</p>	

<p>The penalties (e.g. years of imprisonment, fines, ban on public procurement) for participating in an organised crime group are sufficient in my country to punish perpetrators and deter criminal activity.</p>				<p>x</p>		
<p>There is sufficient coordination between the different authorities (e.g. law enforcement, tax, customs, municipalities, national registries) working on organised crime in my country.</p>					<p>x</p>	
<p>There is sufficient cooperation between authorities working on organised crime in my country and other stakeholders (private companies, NGOs, academia, civil associations, etc.)</p>					<p>x</p>	

<p>The authorities in my country have sufficient tools to verify whether candidates for critical positions in sensitive sectors (such as ports) have a criminal record anywhere in the EU.</p>				x		
<p>The European Union Agency for Law Enforcement Cooperation (Europol) is sufficiently equipped to support Member States' needs in relation to special tactics and special investigative techniques.</p>				x		

Question

24. In your country, are incarcerated masterminds of criminal organisations able to continue operating or influencing their criminal networks from within prison?

Answer

To a large extent

Answer

To some extent

Answer

To a small extent

Answer

Not at all

Answer

Not sure / Don't know

Question

25. To what extent do you agree with the following statements?

	Strongly agree	Agree	Neither agree nor disagree	Disagree	Strongly disagree	Don't know
Measures like community policing, awareness campaigns and local partnerships are effective in preventing organised crime.				x		

Current crime prevention efforts are effective in reducing organised crime-related violence in my community.				x		
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Question

26. Should administrative authorities such as local governments, actively contribute to the fight against criminal infiltration of the economy, including in public procurement?

Answer

Yes

Answer

No

Answer

Not sure / Don't know

Question

27. Do administrative authorities such as local governments have sufficient information and powers to contribute effectively to the fight against criminal infiltration of the economy, including in public procurement?

Answer

Yes

Answer

No

Answer

Not sure / Don't know

Question

28. Do you have any suggestions for how to improve the current EU system to detect, prevent and disrupt organised crime (including non-legislative methods)?

Strengthen cross-border data-sharing and coordination, including unified systems to trace victims safely. Prioritise financial investigations and apply the “follow the money” principle and mandatory asset seizure to fund victim reparations. Obligatory specialised sex-sensitive units that understand coerced consent. Give administrative powers for local councils to disrupt 'legal' fronts for trafficking.

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10. Concluding questions

Question

29. Would you like to share any other views on the Framework Decision?

The Framework Decision does not adequately address the sexed and cross-border nature of organised crime. Women are trafficked across borders with the help of digital tools and migration pathways. A revised framework should include a unified EU-wide data system to trace victims, ensure safe residency status, hold platforms and financial enablers accountable as well as apply a “follow the money” approach.

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Question

30. Would you agree to being contacted for a follow-up interview as part of the evaluation of the Framework Decision? If so, please provide your contact details below. A limited number of respondents will be contacted to collect additional information and/or obtain clarifications.

Question

Table

	A
Name	
Email address	
Telephone number	

Question

Thank you for participating in this public consultation. Your feedback is valuable and appreciated.

You can upload a policy paper, position paper or other supporting documents by clicking on the button below, if you wish.

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed