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THE STUDY OF
DEMOCRACY**

INTRODUCING ORGANISED CRIME THREAT ASSESSMENT

Policy Brief No. 24, June 2010

During the past decade organised crime threats have taken on an increasing importance and have become central to the national and EU policy debates on domestic security and citizen safety. The dynamics of globalisation combined with the dismantlement of the Iron Curtain in the heart of Europe led to growing cross-border flows of people, goods, money and information. On the other hand East European transition was marked from its start by a fast rise of criminality, which soon translated into unprecedented levels of transnational organised crime across Europe. Further to that the growing complexity of financial markets created opportunities for white collar criminals, adding some hitherto unknown criminal phenomena.

These new challenges generated an appropriate answer by both the national law-enforcement bodies, and by the European Union with its specialized agencies like Europol. Countering organised crime became a priority task for law-enforcement agencies and legislators in the developed democracies on the same scale as the enactment of anti-corruption laws and mechanisms at the end of the XX century. The comparison between these two phenomena is not arbitrary, as it reflects a reality in which organised crime uses systemic or institutional corruption as a main instrument in securing its "business".

MAIN RECOMMENDATIONS

- Introducing of EU-wide best practices of producing on a periodic basis of national reports assessing the threats from organised crime, which will facilitate the daily and long term activities of Bulgarian law-enforcement institutions.
- Establishing of a permanent mechanism of institutional interaction, which will give full use of the instruments of public-private partnership, aiming at widening transparency in law-enforcement activities.
- The application of modern methods for operative information gathering and analysis of the activities and finances of the organised criminal groups, in addition to the illegal markets under their controls.
- Taking measures to facilitate the exchange of data between Bulgarian law-enforcement entities and between them and their EU counterparts in accordance with the Stockholm Program of the European Council.

Assessing the threats from organised crime, however, is in its initial phase and faces opposition from those who favour traditional attitudes to crime analysis, as well as long-established police stereotypes, centred on countering conventional crime. Nevertheless, in

a number of European countries (the UK, Belgium, The Netherlands, Germany, Sweden, Czech Republic) **producing periodic strategic reports on the threats and risks from organised crime is a well established practice.**¹ The fact that Bulgaria witnesses a heated debate about the priorities in countering organised crime makes the introduction of modern strategic planning instruments a particularly timely initiative. In order to be successful, however, these instruments should take into consideration not only the background and the current situation in the field of organised crime, but Bulgaria's institutional specificity, as well.

The threat assessment analyses of organised crime have a crucial significance in defining both the priorities and the operative planning of law-enforcement bodies. They could help identify the existing gaps in the intelligence information and to plan the priority areas to fill them in order to receive a more adequate picture of the current situation. Last but not least, the transition from situational analyses of the organised crime phenomenon to foresight analyses about the future threats and risks to society facilitates the gradual awareness of the fact that prevention is on a par with repression as a priority anti-crime activity.

Fig. 1 The process of developing policies to counter organised crime



The process of developing and producing of a strategic analysis of organised crime necessitates the participation of more than one institution. Police often lacks sufficient data about the more general factors, in addition to operative data and macro-information about some areas in the

¹ In Europe these analyses are known by their English acronym OCTA – organised crime threat assessment.

activities of organised crime. This may be due to the fact that data about specific criminal acts, related to excisable goods (cigarettes, alcohol, oil), in addition to detailed analyses of their trade and contraband, are gathered by the customs. In most EU Member-States the customs authorities have also investigative powers, which transforms them into key players in the production of such strategic documents.

Fig. 2 Institutions involved in OCTA



For the purpose of producing this type of analysis special task groups are formed, that bring together representatives from all the concerned institutions. One example is the production of a threat assessment on the trafficking of people in the UK, as part of the UK threat assessment. The process is led by the Serious Organised Crime Agency (SOCA), but it involves on equal standing the UK Border Agency (which starting from 2009 is exercising the functions of the customs and border police), the United Kingdom Human Trafficking Centre, the Gangmasters Licensing Authority, local police authorities, and other stakeholders.

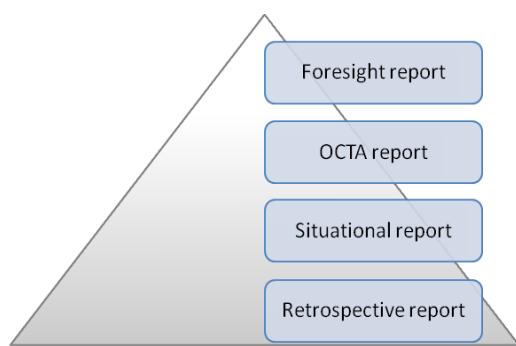
Table 1. Institutions with an input in the production of OCTA reports

Country	Institutions
The U.K.	SOCA together with more than 20 other bodies (including police, customs, tax authorities, counter-intelligence and other institutions)
Sweden	Customs and police

Germany	<ul style="list-style-type: none"> Local police in the production of the national OCTA Academic institutions, the Daimler-Chrysler Department for strategic analyses in the production of foresight analysis
North Rein – Westphalia	
Germany	The Federal Criminal Police summarise data from territorial police structures for the situation report on organised crime
Federal level	
Holland	The Criminal Police with the participation of the Police Academe, and the prosecution
Belgium	Police, Academic institutes (The Ghent University)
Italy	Different annual reports on organised crime of: Carabinieri, Guardia di Finanza, the Ministry of Justice (Department "Anti-Mafia"), the Ministry of Interior

Across the EU one can observe four types of analytical reports on organised crime, and each of them could be used as a basis in the process of producing the next level report. **Retrospective** (assessing the undertaken measures and results) and **situation reports** form the basis for the development of more complex, **OCTA type reports** or **foresight reports**.

Fig. 3 Main types of reports on organised crime



While the situation report sums-up different data without further analysis and interpretations, the report assessing the threats from organised crime contains prognostics about future trends of the phenomena in focus. This makes the latter more valuable for politicians and heads of public institutions. Chronologically, the analyses and assessments of threats were introduced after the traditional situation reports, which present the main characteristics of organised crime through the lenses of anti-crime activities of national law-enforcement bodies.

Both the OCTA and the foresight reports are only relevant if they are produced as a part of a permanent monitoring / assessment process and are produced with some regularity. There are different time-formats of threat assessment reports in EU Member States – annual, bi-annual and four-year reports.

Differences also exist in the **scope of national reports**. Although all documents of this type combine structural / organisation analysis of criminal groups with analysis of illegal markets, some countries still lag in introducing harm assessment both as part of the retrospective analysis and as an instrument for the strategic outlook. The most ambitious in this respect is the experience of the UK SOCA, which applies a specially developed Harms Matrix, used in the development of a national threat assessment. A systemic and assessment-based approach to organised crime impact on society and state is important for determining the priority threats and setting the most effective instruments and areas in the prevention and repression efforts. Such a matrix is also instrumental in presenting not only the socio-economic dimensions of organised crime, including "white collar" crime, but also some seemingly abstract impacts such as the "harming of the individual trust in public and private institutions' integrity". Generally, the accent on harms paves the way to defining the most important priorities in prevention and countering crime, which reflect the public interest in limiting the resulting losses, rather than narrow institutional priorities. It is a known fact

that the latter are often adapted to suit the current political environment and their aim is to present institutional efforts (especially by police) as a highly effective tool both in prevention and countering organised crime.

Other components of an integral analysis of the threats from organised crime could include: the assessment of the effectiveness of the measures for preventing and countering organised crime, or an analysis of the counter-measures, undertaken by organised criminal groups.

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Learning from best European practices in countering organised crime is a step, likely to facilitate and speed-up the introduction of a new and modern instrument in the efforts to guarantee the security and safety of Bulgarian citizens.

- The introduction of a an assessment of the threats from organised crime will contribute for the effective participation of Bulgaria in the EU-activities for countering cross-border threats in accordance

with the Stockholm Program of the European Council, adopted at the end of 2009.

- The availability of periodic reports on organised crime will represent a solid methodological and practical basis for the efforts of Bulgarian law-enforcement to curb high-level corruption and infiltration by oligarchic structures of public institutions, which represents the biggest risk for the democratic process.
- The formation of an expert team in the narrow field of strategic analysis using European criteria, key-ideas and analytical instruments will pave the way to overcoming the inherited traditional attitudes and methods in assessing the activities of law-enforcement bodies, influenced by political and propaganda clichés. This step will improve the transparency and public trust, as well as the dialogue between public institutions, civil society and the media – a necessary prerequisite to the much discussed but still uncompleted reform of the security sector in Bulgaria.