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NOTE

From:	German and French delegations
To:	Council
No. prev. doc.:	5303/3/16 REV 3
Subject:	Draft European initiative to prevent and combat organised domestic burglary

In recent years, there has been a considerable increase in property crimes committed in Europe by highly mobile organised crime groups. The interim SOCTA for 2015 estimates 1.000 offences per day.

The following can be said about the situation regarding domestic burglary in Europe:

- The increase in the number of domestic burglaries is attributable to itinerant crime groups originating mainly from South-Eastern and Eastern Europe. They belong to the field of organised crime or are considered one step away from organised crime.
- They have transnational organisational structures. They are flexible and able to adapt to countermeasures taken by individual states. To fight these networks effectively concerted action at European level is necessary.

- Property crime affects EU Member States in different ways. All Member States could contribute to fighting this type of crime by taking specific measures depending on their geographical situation, their resources and their individual threat situation.

These offences have a significant negative impact on businesses, because they cause heavy financial losses, but they also affect numerous victims throughout Europe. Itinerant crime generates a sense of insecurity for European citizens that leads them to doubt the ability of EU law enforcement authorities to effectively tackle this scourge.

Furthermore, the specific modus operandi used by these groups most often causes the law enforcement authorities of Member States to see these series of burglaries as separate incidents. The interim SOCTA for 2015 points out that they tend not to treat them as a phenomenon of transnational organised crime.

In 2010 the European Union reacted to this crime phenomenon by setting property crimes committed by itinerant crime groups as a EU crime priority between 2011 and 2013 in the framework of the Policy Cycle for organised and serious international crime¹. In 2013, the Council decided that "organised property crime committed by Mobile Organised Crime Groups" was one of the EU crime priorities between 2014-2017².

Based on these findings, the French and German delegations suggest that the Council would adopt a European initiative to prevent and combat domestic burglary. This European initiative sets out specific measures and actions necessary to provide a global response to the challenges posed by domestic burglary, also building upon the Operational Action Plan (OAP) on Organised Property Crime under the EU Policy Cycle. The implementation of operational actions could be carried out under the framework of this OAP. The European initiative to prevent and combat domestic burglary would use the experiences gained with the European Pact to combat international drug trafficking and would have a similar structure.

¹ 11050/11

² 12095/13

The draft European initiative to prevent and combat organised domestic burglary would be based on the following principles:

1. We commit ourselves to improving political coordination between the Member States and the bodies and relevant agencies of the European Union, in particular Europol and Eurojust. Our goal is to ensure consistency of national and international actions of the European Union to fight organised domestic burglary.
2. We will make optimal use of our resources. We will build operational, task-specific networks between the competent agencies of Member States based on existing multilateral structures for sharing information, including Europol and Eurojust. If necessary, we will involve existing high-level expert groups.
3. To tackle this threat effectively a more generalist approach is needed. It has to include not only measures to improve law enforcement but also ideas for strengthening burglary prevention. This also includes taking administrative measures as a supplement to actions under criminal law.

The Member States are invited agree on the following measures in the framework of the draft European initiative to prevent and combat organised domestic burglary:

1. To build and capitalise on successful ISEC projects, such as “Strengthening the fight against mobile organized crime groups of the Baltic Sea Region” and “Danube Property Crime” as best practices to fight against organised property crimes”. To promote and support also existing ISF-projects such as “OP Paris”, “Domestic Burglary” and “Eurasian Region and Western Balkans Region Project”.
2. To intensify the cooperation with the countries of origin in order to effectively combat organised burglar gangs. We will therefore involve Georgia, Moldova, Ukraine and the countries of the Western Balkans more strongly in the EU crime priority "Organised Property Crime".

3. To improve the exchange of experience on strategic issues (in particular share information concerning mobile property crime offenders). Making this part of the CEPOL programme should also be considered. In this context also a more intensive use of the Europol Information System (EIS) and Prüm information exchange tools is recommended.
4. To intensify the combat against organised property crimes in general and domestic burglaries in particular on EU level by setting up a temporarily support group of national experts/analysts located at Europol Focal Point Furtum.
5. In many cases criminal investigations will be more effective and fruitful if the law enforcement agencies of the countries affected by MOCGs work together. Thus, Member States will strengthen the cooperation in this field in general and increase the number of Joint Investigation Teams in particular.
6. Since cooperation is the key, a European list of national contact points on domestic burglary and a dedicated Europol Platform for Experts forum (EPE) will be created.
7. In order to fight mobile organised crime groups more effectively, the participation of the public is also needed. Information programmes on burglary prevention at EU level (especially for victims of burglaries) will therefore be initiated. The aim is to pool preventive projects in cooperation with the European Crime Prevention Network (EUCPN). This could also include intensifying cooperation with the private sector to improve prevention. Furthermore cooperation is sought with the Informal network on the Administrative Approach to set up projects to increase the expertise in Member States on the use of administrative measures to prevent these organised crime groups from infiltrating in the legal infrastructure, taking into account the conclusions and recommendations from the ISEC funded EU study 'administrative measures to prevent and tackle crime'.

8. The new technology of predictive policing delivers promising new results and contributes to a better use of resources. Some Member States have already gained experience with this new instrument. We will share this experience and further improve the existing systems.
9. Finally, dealing with underage offenders is also an issue. In many cases these young people are also victims of organised crime groups. Coercive sanctions are not sufficient in this case. Additional supportive measures, such as spreading best practices, are needed in order to free them from the influence of the real criminals and to give them better prospects for the future.
10. MOCGs do often not only commit domestic burglaries but also burglaries in commercial properties. The above mentioned measures may also apply for these cases.
