

Opinion of the Economic and Social Committee on:

- the ‘**Communication from the Commission to the Council and the European Parliament on the prevention of crime in the European Union — Reflection on common guidelines and proposals for Community financial support**’, and
- the ‘**Proposal for a Council Decision establishing a programme of incentives and exchanges, training and cooperation for the prevention of crime (Hippocrates)**’

(2001/C 221/17)

On 29 November 2000, the European Commission decided to consult the Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned communication and the above-mentioned proposal.

The Section for Employment, Social Affairs and Citizenship, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 2 May 2001. The rapporteur was Mr Burnel.

At its 382nd plenary session on 30 and 31 May 2001 (meeting of 30 May), the Economic and Social Committee adopted the following opinion with 111 votes for and one abstention.

I. INTRODUCTION

1. Crime is a growing problem both in the European Union and across the world, especially since it is a scourge which can cross borders easily and fast. Some geographical areas in particular provide a favourable climate for its development and proliferation.

2. For this reason, both individual states and the European institutions have a pressing obligation to deal with crime at its roots and in all its forms. To simply say that crime is a social problem would be neither an explanation nor an excuse.

3. The ESC has been asked to give an opinion on the Communication from the Commission to the Council and the European Parliament on the prevention of crime in the European Union — Reflection on common guidelines and proposals for Community financial support.

4. Prevention is only the first step in the comprehensive policy and measures required to combat crime. The Committee's response is therefore framed in broader — although by no means exhaustive — terms. The Committee has already expressed its views on this issue elsewhere, for example in relation to the various forms of criminal exploitation of children, women and immigrants in particular, and of vulnerable and at risk groups and individuals in general.

5. First and foremost, the Committee calls on decision-makers, particularly those in the political sphere, to clarify their approach to safeguarding and promoting the values connected with respect for human rights and defining the measures and resources their enactment requires.

6. Enlargement will increase the length of the EU's land and maritime boundaries. It is therefore to be hoped that the applicant countries will be informed about and involved in Community concerns and actions.

The EU must consult and cooperate with the Council of Europe and the United Nations, particularly in the fight against organised crime, which makes proficient use of the latest technologies in the fields of communication, drug manufacture and espionage.

II. COMMENTS

1. The Commission has adopted a broad definition of crime, which transcends the acts defined as crimes under national law in the Member States.

1.1. If we place crime at the top of the pyramid of malfeasance, we must acknowledge that it is supported by a number of different strata which increase proportionately in severity from apparently banal acts of anti-social conduct right up to mafia activity and organised crime, via all the various levels of individual and collective delinquency.

1.2. The Committee considers that the Commission's broad definition is justified since, by a simple 'snowball' effect, any offence which is not dealt with at its root may lead to more serious offences.

2. The objectives of the fight against crime are to ensure the safety of physical and moral persons, safeguard private and public property, both individual and collective, and restore the rights of victims.

3. This strategy comprises four, interrelated approaches:

3.1. prevention;

3.2. police action and judicial sanctions, exercised in accordance with the law;

3.3. compensation and victim support;

3.4. social rehabilitation of offenders during their sentences and on release;

4. The Commission has opportunely decided to name the programme 'Hippocrates' after the founder of preventive medicine, whose motto was 'prevention is better than cure' — a logical principle that ought to be applied to all situations of injustice.

4.1. The two main objectives of the programme are to:

- alert the public; and
- encourage the public to contribute to the success of public policies on safeguarding persons and public and private property.

4.2. If this appeal for the participation of the general public and political, economic, social and cultural decision-makers is to succeed, two key conditions must be met:

4.2.1. first, the general public must feel that that the participation requested of them is feasible — in other words realistic — and will produce quantifiable results. Crime prevention is not a matter for specialists alone, no matter how indispensable they are. It is at the heart of good citizenship;

4.2.2. second, the crime prevention policy must be comprehensive. In other words, it must tackle all the causes of crime, both its deep roots and their surface manifestations, and mobilise society as a whole. In this sense, policies on urban planning, poverty reduction, unemployment and exclusion, education, welfare, and information, all play a part in crime prevention. To take one example, combating poverty means tackling its causes and effects, not pointing the finger at poor individuals and families as responsible for their situation. Nobody chooses to live in poverty.

4.2.3. Particular attention must be given to education, in the sense of teaching people how to master thought and communication through the practice of different forms of language (speaking, reading, writing and arithmetic) and instilling self-discipline through moral and civic education. Hence the necessity to train teachers to relate to the whole community, both pupils and parents, and to make schools a focus for educational and community initiatives. The street is rarely a good school.

4.3. As the institutional forum for civil society organisations, the Economic and Social Committee is, by definition, concerned with the quality of life and therefore with all the problems resulting from the deprivation of fundamental rights: i.e. the rights to safety, dignity, work, health and social protection, education and training, and family life.

4.4. However, all too often the resources allocated to crime prevention and suppression are outpaced by the rising volume, gravity and sophistication of crime itself. This, in any case, is the prevailing perception in public opinion.

4.4.1. The public authorities therefore need to conduct a large-scale education programme targeted at the general public and the media.

4.4.2. The resources at the disposal of Europol (i.e. EUR 35 million in 2001, an increase of 29 % over 2000) are far from adequate. A similar critique could be levelled against the situation in the Member States, for example with relation to the resources allocated for combating cross-border crime (land and maritime borders). Crime is a scourge which crosses borders increasingly easily and fast; the longer the delay in addressing it, the more powerful its effects will be.

4.4.3. Although the watchword ought to be cooperation, excluding any form of competition, it would appear that the rivalry between different law enforcement agencies is no longer confined to the world of fiction.

4.4.4. Some protracted and complex judicial procedures also contribute to the public's impression that certain cases go unpunished, whereas what is really at issue is the patent lack or inappropriateness of resources. The rights of offenders have to be guaranteed. But so, equally, do the rights of victims.

4.4.5. The public sometimes almost feels that law-abiding citizens are forgotten whilst the agencies responsible for their protection are out of their depth.

5. The Commission:

5.1. in pursuit of the Action Plan adopted by the Amsterdam European Council in June 1997, calls for 'a mechanism for the collection and analysis of data which is so construed that it can provide a picture of the organised crime situation in the Member State and which can assist law enforcement authorities in fighting organised crime' to be set up on the basis of common standards.

Europol and the Member States followed this up when drawing up the annual report on the situation of organised crime in the European Union.

5.2. As regards general crime, the current absence of reliable data sometimes makes it difficult to compare the situation in different countries. The Council of Europe is working on the matter, as is the United Nations, in particular regarding data on general crime.

5.3. The Committee supports these initiatives, aimed at building up a shared, reliable and detailed picture of crime, monitoring its development and accurately assessing the impact of the measures already applied.

6. The Commission calls for the mobilisation and networking of those involved in crime prevention.

6.1. It supports the initiative taken by the French presidency and Sweden proposing 'the creation of a European network of prevention focusing on urban, juvenile and drug-related crime'.

6.2. Initiatives have been taken by industry and certain professions particularly exposed to the risks of corruption or implication in money-laundering and fraud operations.

6.3. The Commission proposes that a European Forum for the prevention of organised crime be established, covering an extremely wide range of fields, such as lawful and unlawful dealings in goods, cybercrime, corruption, and financial and environmental crime. A forum of this kind would have to be able to respond flexibly to requirements, but its primary aim would be to structure prevention work at European level by:

- being available to the European institutions and the Member States to assist them on all questions related to crime prevention;
- helping to identify new crime trends;
- facilitating the exchange of information on preventive action;
- contributing to the operation of expertise centres; and
- helping to identify areas for research, training and evaluation.

The Commission wishes to design the Forum in such a way that it can be managed by a lightweight structure that can be supplied by its own departments.

It will examine with the partners concerned the need to set up a web site on prevention.

The Committee endorses this.

7. The Tampere European Council suggested that consideration should be given to EU financial support for the crime prevention strategy. The Commission has come to the conclusion that a financial instrument would add value to the action of the Member States, as it announced at Praia da Falésia.

The financial instrument will comprise two aspects, one devoted to cross-border organised crime and the other to general crime.

The financial instrument would be regarded as a pilot operation, and would be established by decision under Article 34 of the Treaty on European Union for an initial two-year period (2001/2002). The Commission states that 'with regard to financial amounts, there should be a cautious start. An annual budget of EUR 1 million appears reasonable, pending the Commission's general proposals on the programmes that it manages'.

8. The Committee takes note of these decisions. In view of the scale of the problems to be addressed it wishes every possible resource to be committed. The public is extremely concerned and expects strong and concerted action to be taken.

8.1. The Committee stresses the need to involve the public through bodies such as organisations, unions and associations in which they place their trust and to which they are willing to contribute.

8.2. The Committee emphasises the role of the family, teachers, social workers and the media.

8.3. Given that the objective is actively to integrate people into society — one of the strong points of democracy — simply applying a restorative social medicine is not enough. The goal of integration must be mainstreamed in all policies — housing, urban development, employment, training, welfare and health protection, information and culture — in such a way that it is visible to the public at large.

This will be the best form of prevention, although it will not remove the need for vigilance on the part of the police and judicial systems, which uphold the law.

'Any Society which aspires to guarantee liberty, must start by guaranteeing safety.'

Brussels, 30 May 2001.

*The President
of the Economic and Social Committee*
Göke FRERICH