



**AN ADMINISTRATIVE
APPROACH TO SERIOUS
AND ORGANISED CRIME
INVOLVES PREVENTING THE
FACILITATION OF ILLEGAL
ACTIVITIES BY DENYING
CRIMINALS THE USE OF THE
LEGAL ADMINISTRATIVE
INFRASTRUCTURE.**



*Administrative measures to prevent and tackle crime
Spapens, Peters & Van Daele, 2015*



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**EUROPEAN NETWORK
ON THE
ADMINISTRATIVE
APPROACH**

**TACKLING SERIOUS
AND ORGANISED CRIME**

MULTIDISCIPLINARY *approach*

It is recognised that organised crime does not respect regional, national or international borders and because of its nature and scale it is more than any agency or even group of nations can tackle alone. Criminal justice interventions alone will never be enough.

We believe multidisciplinary approaches - based on partnership, collaboration and use of administrative measures - offer a solution with the potential to have a much greater impact on both the 'high end' and the 'long tail' of organised crime across the EU.

FORMATION *of the Network*

In response the European Network on the Administrative Approach (ENAA) has been formed within the EU in the Council Conclusion of 5 November 2010. Since then the Network has evolved into a Network of National Contact Points which act as a gateway to law enforcement agencies, government departments, administrative bodies and academia in their respective countries. In particular, the focus is on those teams, units and departments which are regularly using administrative powers or non-traditional ways of working on a practical level, as part of a multidisciplinary approach to prevent and disrupt organised crime.

OUR GOALS *and the EU*

The goal of the Network is to stimulate and facilitate a network of contact points, competent in the field of administrative measures to tackle the phenomenon of organised crime groups taking into account national needs and particular circumstances.

Our Network

- promotes the concept of administrative measures
- assesses possibilities to strengthen the exchange of information between administrative bodies and traditional law enforcement organisations of EU Member States, making use of existing instruments for international exchange of information and limitations stemming from national legislation
- encourages sharing of best practices
- proposes new initiatives in developing administrative measures

The administrative approach is being developed at different speeds in the EU. Therefore the Network is important for the gathering and sharing of information and best practices. This is not only with the National Contact Points but also with central and local governments.

DEFINITION *administrative approach*

Under the Dutch Presidency (2016) - for the first time - a definition on the administrative approach was agreed on by the Member States in the Council Conclusions of 6 June 2016.

The administrative approach is used by combining the following elements:

- preventing persons involved in criminal activities from using the legal administrative infrastructure for criminal purposes, including, where relevant, procedures for obtaining permits, tenders and subsidies
- applying all relevant types of administrative regulations to prevent and fight illegal activities, when possible under national law, including the preventive screening and monitoring of applicants (natural persons and legal entities) for permits, tenders and subsidies, as well as closing or expropriating premises when public nuisance occurs in or around those premises as a result of undermining criminal activities
- coordinating interventions, using administrative tools to supplement actions under criminal law, to prevent, counter, disrupt and suppress serious and organised crime