

A CHANCE FOR EUROPE

The European network **CHANCE – Civil Hub Against organised Crime in Europe** is a Civil Society Organisations' network promoted by *Libera. Associazioni, nomi e numeri contro le mafie* that gathers associations, movements, informal groups and activists from all over Europe. It was officially launched in 2019 in the European Parliament where its Political Agenda was presented, thus expressing its values and commitments.

CHANCE aims at promoting cooperation among Civil Society Organisations of different countries confronting organised crime, mafias and corruption, and at promoting equity and solidarity in European society.

Since its birth, it has offered dialogue, support and meeting spaces for organisations and entities which aim to promote social justice actions against mafia and corruption, the establishment of civil and human rights, democracy, the rule of law, free speech and social inclusion in each country and in Europe.

The data available on organised crime phenomena in Europe is alarming: according to Europol's 2021 Serious and Organized Crime Threat Assessment (SOCTA), 70% of criminal groups operating in the European Union are active in more than three EU countries, and 65% of them are composed of members of more than one nationality. In this scenario, supported by the inquiries and investigations of the judiciary and law enforcement, it is necessary to build networks and to give global answers to a global problem, which is organised crime.

For years we have continued to witness chronic problems in our 'House of Europe', such as the amount of people falling into trafficking networks, the persistence of wars and violence, and the gap in the opportunities to access education, health care, infrastructure and decent living conditions for the people living in the continent.

While it is true that organised crime finds its most fertile ground in social injustice and inequality, 20 years after the United Nations Palermo Convention and after more than two years of global pandemic, we, European civil society gathered in the CHANCE Network, call for the creation of a more equitable society as a powerful tool to eliminate organised crime and corruption.

We ask Europe and the European institutions to involve civil society as its role is crucial to achieve this goal. The scandal that has swept through the European Parliament in recent months should serve as a reminder and a call to action for civil society, to take the lead and start raising awareness in their communities to make their representatives aware of our priorities for the Europe of the future. We call on political leaders and political parties to commit, each one according to their functions and mandate, to give real answers to our demands.

**WE HAVE A
CHANCE FOR EUROPE
WE CANNOT WASTE IT**

1. ORGANISED CRIME: A EUROPEAN PROBLEM

As highlighted by Europol's new 'European Union Serious and Organised Crime Threat Assessment' report, 80% of criminal networks use legitimate businesses, in several countries, to cover illegal activities. 40% do not limit themselves to a single criminal activity. 68% of criminal networks use money laundering as a method to make the proceeds of their illegal activities legal, and 80 % of the illegal actions committed by organised crime involve cybercrime: fraud, drug buying and selling, trafficking in waste and human beings, and the sexual exploitation of children on the Internet.

Organised crime thrives where the economic and social safety net is weakest; where the State fails to guarantee the fundamental rights of its citizens, such as employment, education, medical care; where the State fails to win and preserve the trust of its citizens.

Whilst the recent events that swept through EU institutions demonstrate the pervasiveness of corruptive dynamics, the war in Ukraine also represents fertile ground for organised crime in Europe. The Global Initiative Against Transnational Organized Crime in its research report 'New front lines. Organized criminal economies in Ukraine in 2022' has identified several factors of further exposition of the EU to organised crime ensuing from the invasion of Ukraine by Russia. Due to the insecurity of their hometowns, many high-profile persons involved in organised crime have left the two countries, thus increasing and spreading the phenomenon of organised crime. Some high-level criminal actors have been looking for 'weak points' abroad where they could redirect criminal operations to avoid the conflict: Romania (Constanza), Bulgaria, Italy (Genoa) and France (Marseille) were cited as potential options. There are significant Ukrainian diasporas in several Eastern European countries, especially Czech Republic, Romania and Poland, which could provide cover for some criminal actors to either wait out the conflict or start up new ventures. The Baltic states also offer fertile ground for Ukrainian criminals to expand their operations, given that they already have extensive ties in such places. Above all, the war in Ukraine is again another fruitful market for drug trade carried out by criminal organisations and for human trafficking. As of 18 November 2022, the UN had recorded some 7.8 million Ukrainian refugees in Europe and the International Organization for Migration estimated that there were 6.5 million internally displaced persons in conditions of vulnerability to human trafficking.

To combat and prevent organised crime, each individual European state and the European Union in its EU dimension have a duty to promote and pursue social justice for all. The more stable and robust the regulatory framework and the economic and social situation in Europe, the fewer opportunities criminal organisations and mafias will have to exploit periods of economic, political or health crises.

The Recovery and Resilience Facility (RRF) - which entered into force on 19 February 2021 - provides EUR 672.5 billion in loans and grants to support reforms and investments undertaken by Member States. As a central part of the NextGenerationEU earmarked for individual governments, the Facility represents a 'high risk' resource for criminal and mafia infiltration and it is therefore crucial that it be strictly monitored. At the same time, the other funds foreseen by the NextGenerationEU (EUR 750 billion in total) and the long-term budget of the European Union will have to strengthen the control systems for the destination of the funds so that the 'subsidiarity' of criminal organisations does not allow further laundering of the large illegal liquid capital accumulated through the various illegal trafficking practised.

With this Manifesto, the CHANCE network wishes to highlight some of the weaknesses of the current European context, while offering constructive proposals to the European Member States and institutions. We aim at redirecting the attention on the main issue related to organised crime and at helping to build a Europe closer to its citizens.

Four years after the presentation of the CHANCE Political Agenda and in light of the upcoming European Parliament elections, we want to contribute with new proposals to a long-term vision on the future of Europe, which can offer to stakeholders of European institutions and civil society a more solid basis to jointly prepare a common response to the current serious cross-border threats. It is important today to work together towards an even more incisive action against all phenomena that violate human rights and freedoms on a large scale and that thrive on, but at the same time perpetuate, social injustice, such as corruption, serious forms of organised crime, mafia-like associations and bribery.

It is important to create uniformity and common commitment in the fight against organised crime, coming to the realisation that organised crime is also a European and therefore an EU phenomenon – in the name of the fundamental values of the European Union.

Efforts must therefore be made to overcome the idea that this phenomenon is foreign and external to our societies.

We therefore invite all stakeholders to join forces in demanding uniformity and cohesion in our response to these threats.

Specifically, we call for

- **The European Parliament and other national and EU institutions to recognise that organised crime is a European problem stemming from inside its borders and with its roots in social inequalities and grey areas existing in our countries;**
- **The establishment of a Permanent Forum of civil society on organised crime, between the European Commission, the European Parliament and the European civil society.**

2. RECLAIM COMMON GOOD(S) FROM ORGANISED CRIME

Since 1996, European civil society organisations have been promoting the public and social re-use of confiscated assets as a key tool for social and economic prevention of criminal phenomena, supporting the idea that repression of organised crime must be complemented by a greater involvement of civil society. At EU level, following the pioneering Italian Law 109/1996 on public and social reuse, many steps led to the provisions of the Stockholm Programme and eventually to the European Parliament Directive 2014/42/EU, underlining at EU legislative level the relevance and great opportunity regarding this topic. After eight years, the Commission proposed a new Directive (COM/2022/245 final) to further encourage the actions of Member States and implement the national solutions already in place.

Organised crime is a widespread phenomenon that harms society socially and economically for multiple reasons:

First, it poses a threat to the community through the use of illegal practices such as corruption and extortion, often through intimidation, threats or violence, as well as through the erosion of the legitimacy of public institutions as a result of misuse of public funds. In addition to that, the revenues generated by illegal activities once invested in the legal economy become a threat to the legitimate economy. They push legal businesses out of the market with relatively unprofitable investments that organised crime can afford, with the aim of reinvesting capital obtained through illegal activities.

Furthermore, the enormous amount of money available to the mafias to launder in times of crisis (such as the health crisis of COVID-19) paves the way for them, offering them an ideal socio-economic situation: in a moment of difficulty they are ready to invest and make up for the shortcomings of the State.

Secondly, while it is true that mafias are looking for economic capital, they are also looking to organise the territory according to their structures and needs, in order to gain a higher social positioning and thus 'social capital'. Organised crime benefits from the absence of the State and the power vacuum it creates. The huge sums of laundered money are an excellent vehicle for investment, fake jobs, imposing new rules, and perpetuating disrupted social networks that enable organised crime to maintain long-term control over the territory.

Therefore, it is necessary to regain control of the territory – referred to as the geographical space and the communities that inhabit it – from organised crime groups through confiscation, and plant new seeds to develop a new social capital and economic model that can provide people with jobs, dignity and services. The social reuse of confiscated assets is a powerful tool to pursue these objectives, allowing the State and social enterprises to join forces to repair the damaged social fabric,

create cohesion, establish a virtuous economy and enable social inclusion. The construction of alternative contexts guarantees equal rights for all citizens and enables territories to grow in a smart, sustainable and inclusive way through the contribution of national institutions, which guarantee effective support to all those realities active in social inclusion, active citizenship, youth empowerment and inclusive youth employment.

Public and social projects in confiscated assets are powerful tools for creating a direct dialogue between institutions and civil society and strengthening the relationship of trust with the European Union.

What both academic studies and reports on practices of social reuse of confiscated assets seem to have in common is that social reuse instils in citizens the idea that 'crime does not pay.' Besides conveying this strong symbolic message, the endeavour to give back to a community what criminal organisations had taken from them (often with violence) fosters a solid potential for societal transformation. There are several ways these assets can be repurposed for community use and create added value at different societal levels, identified by Italian academic and sociologist Vittorio Martone:

- **Political Level.** The mechanism that follows the allocation of the assets/proceeds requires State institutions and civil society to share and respect the principles of transparency and accountability, laying the foundation for strengthening institutional trust and developing civic participation.
- **Identity level.** First, the promotion of solidarity practices and values contributes to (re)creating feelings of belonging and place identity and connection. Second, the confiscated and reused properties become an instrument of remembrance, with the dual purpose of keeping the memories of the victims alive, telling their stories and at the same time contributing to demystifying criminal activities. In this respect, they offer the local community a concrete example of how the 'culture of lawfulness' (the translation of the Italian term *cultura della legalità*) contrasts with the 'culture of mafiosity' (*cultura di mafiosità*). The culture of lawfulness represents the rights and duties that all citizens should pursue to ensure a healthy relationship between individuals and society and, by extension, the social and territorial environment in which they identify.
- **Economic level.** Since its introduction in Italy, social reuse of confiscated assets has focused on 'relational goods, agriculture and social tourism, personal assistance and services, association centres and educational activities, circular economy, civic and social entrepreneurship (Martone, 2020).' Besides playing an important role in the development of a new form of economy, they are a fundamental part of the social and economic fabric, along with the state and the for-profit sector. In addition, the social reuse of confiscated assets has allowed the social economy to develop and demonstrate how effectively it can respond to the needs of people, especially those who are more vulnerable or vulnerable to exploitation. As social entrepreneurship helps spread an alternative and solidarity-based form of economy that

brings benefits to the community, it directly tackles the economic system relied on by organised crime groups, which is mainly based on illegal actions and the exploitation of vulnerable members and sectors of society.

- **Ecological Level.** The reuse of confiscated assets has also contributed to promoting the rehabilitation of polluted land, ecological and social sustainability, agroecology and the defence of indigenous cultures.

In this scenario, the social reuse of confiscated assets emerges as an invaluable opportunity that can lead to civic engagement while benefiting the community. First, by being in direct contact with local people and their needs, reuse initiatives can lead to the empowerment of vulnerable communities. These, with the support of associations and institutions, can set up collective, democratic and inclusive initiatives that can shape the territories while helping to generate a ‘social force.’ This scenario facilitates the work of associations and inclusion of the neediest populations. Thus, communities benefit from an increase in social capital and democratic development. Second, social economy enterprises that reuse confiscated assets build social projects aimed at the inclusion of disadvantaged people in the community or those with special needs. Third, social reuse initiatives develop the local economy and improve the reputation of the community. Fourth, through social reuse initiatives, people in the community learn that they can make a living legally, without depending on a mafia boss.

In light of the opportunities offered by social reuse of confiscated assets, the following are our requests to strengthen the mechanisms that already exist or are under development at EU or national level.

We specifically ask the EU

- **That the provision for social reuse of confiscated assets be made binding alongside other forms of management in the new proposal of directive on asset recovery and confiscation;**
- **To review the participatory mechanisms for inter-institutional meetings on the management of confiscated assets to ensure sufficient involvement and dialogue with civil society organisations;**

And to the EU and member states we ask

- **The establishment of a special fund to support the projects of civil society organisations in confiscated assets.**

The public and social use of confiscated assets is an innovative tool to combat inequalities and discrimination (social, handicap, etc.) by developing a fair and solidarity-based economy. We must prepare ourselves for what we can offer in terms of opportunities to the European community.

3. CORRUPTION, THE PUBLIC ADMINISTRATION AND CIVIL SOCIETY

Corruption, from a private perspective, discourages business activities and hampers the total return of private investments and, from a public perspective, damages Member States' absorptive capacity of public funds, lowers trust in state institutions and promotes social inequalities. Therefore, it is expected that Member States foster a range of initiatives to enhance anti-money laundering frameworks and tools to protect the society and the economy in the EU. However, although there have been several anti-corruption initiatives in Europe, a 'grey' area arguably still exists and it renders numerous services to organised crime. Economic actors and politicians can suffer pressures or threats in order to create opportunities for criminals into the legal economy. Along with strong institutions, competent administrators and strong regulatory frameworks, Civil Society, in particular journalists and monitoring communities, plays collaboratively a key role in providing transparency by denouncing and combating the pervasiveness of corruptive dynamics and in raising awareness about the damage they create.

Since the launch of the NextGenerationEU plan and its Recovery and Resilience Facility (RRF), a myriad of public money is available for the Member States, via a combination of loans and grants, to build a greener, more digital and more resilient European society. These funds will be released, following pre-agreed national Recovery and Resilience Plans (nRRP), as a performance-based facility, i.e. the European Commission pays out when the Member State has achieved the agreed milestones towards completing the pre-agreed reforms and investments. However, the RRF entails the question of how the general interests of the European Union will be preserved in light of fraud and corrupt behaviours, and how the society as final beneficiary of the funds can express their interests.

It is clear that a mechanism such as the NextGenerationEU plan requires the ability, internal to the public administration and external, that manages the funds, to monitor the activities and assess whether they are proceeding correctly. For this reason, both monitoring and evaluation must become fundamental activities in the management of the nRRPs and concern not only the public administrations but also the CSOs, which represent the society as the ultimate recipient of all the reforms and investments. Therefore emerges the need to develop a monitoring and evaluation activity.

The RRF entails numerous public auctions where monitoring communities, in combination with the Recovery and Resilience Task Force (RECOVER) and special anti-fraud bodies, can provide strong prevention and *ex ante* and *ex post* control procedures. Civil Society can engage with the RECOVER to ensure that national reforms and investment initiatives, while aligned with the European green and digital transition objectives, actually contribute to build a better society and they do not suffer from regulatory or political capture, a recognized main driver of inequalities.

A key watchdog instrument for the monitoring community is corporate transparency. The intense investigative journalists, activists and academics struggle to detect loopholes and criminal schemes under a legitimate interest regime, such as in the 4th Anti-Money Laundering Directive. The Court of Justice of the European Union (CJEU) recognized the legitimate interest of journalists and CSO involved in prevention of money laundering without having to demonstrate it on a case-by-case basis but, while respecting this ruling, it is also necessary to fully protect those accessing beneficial ownership information.

Institutional anti-corruption and anti-fraud reforms and investments must work hand in hand to tackle the complexity of these phenomena. However, after reviewing the current nRRPs, only EUR 381 million have been devoted to anti-corruption measures (in a EUR 723.8 billion total NextGenerationEU plan budget) and the 90% of the budget is concentrated on investments, hence it is assumed that the legislative reforms do not entail high financial needs. Furthermore, on the nRRPs little is devoted to reforms and investments in relation to the effectiveness and transparency of the national Plan itself.

It is vital to strengthen the involvement of CSO, not only as watchdog as stressed above, but also on the approval of the nRRPs through the engagement with the RECOVER, that steers the implementation of the RRF and coordinates the European Semester.

On the institutional and legislative anti-corruption reforms foreseen by the RRF, CSOs are a key actor to increase the efficiency of the fight against corruption, specially by strengthening the legal and institutional anti-corruption framework through active and efficient monitoring of corporate governance and public procurement. Also, on the investment side, the anti-corruption, anti-fraud and anti-money laundering investments are directed mainly towards modernization, capacity building and technical equipment to establish a whistleblower office or to increase the staff of anti-money laundering administrations. We believe that there should be a balance between the budget devoted to anti-corruption and anti-fraud legal reforms and to investments in order to gather enough momentum that drives an actual change in the corruptive dynamics.

The RRF Regulation is structured on six pillars: Green transition; Digital transformation; Smart, sustainable and inclusive growth; Social & territorial cohesion; Health, and economic, social and institutional resilience; and Policies for next generation. The Member States have dedicated, on average, 28% of their nRRP budget to support social objectives with the following share among the four social subcategories: (33%) health and long-term care, (33%) education and childcare, (20%) employment and skills and (14%) social policies.

Although CSOs have a direct contact with the needs of the society and the demands of the territories, in almost none of the nRRPs the CSOs have been considered in the planning process of the initiatives.

In order to achieve success on the monitoring activity, the institutional legal reforms initiatives must create a regulatory framework that acts as fertile soil for monitoring public procurement (e.g. to

analyse risks, timing and payments) and that guarantees meaningful stakeholder access to beneficial ownership registers. It also must provide widespread tools for the protection of transparency and integrity.

We then call the European Commission

- **To formally recognize the role of the Civil Society Organizations (CSO) as an efficient monitoring instrument of the EU public expenditures;**
- **To explicitly support strong provisions for meaningful stakeholder access to beneficial ownership registers and to fight against opaque entities, as it was proposed by the European Parliament’s discussions about the 6th Anti-Money Laundering Directive;**
- **To extend the creation of whistleblowers offices and enhance the measures to protect individuals, including licit entrepreneurs, that are encouraged to denounce criminal threats and corrupt pressures;**

And EU institutions and Member States

- **To grant the involvement of CSOs in the programming and implementation of the initiatives foreseen in the nRRPs, in order to avoid political capture and improve social cohesion and mitigate the social impact of the crises;**
- **To support monitoring communities of the RRF, since they contribute to the right use of public resources and catalyse the joint interest and effort of citizenships who want to be conducive to the common good and to the accountability of the NextGenerationEU plan.**

4.

PROTECTION, JUSTICE AND REPARATION FOR VICTIMS OF ORGANISED CRIME AND HUMAN TRAFFICKING AND THEIR FAMILIES

The undoubted social and economic cost of organised crime risks distracting us from the unique suffering of direct front-line victims of serious criminal activities. The sophistication of crime and the rapid adoption of cybercrime changes the profile of the victims and reduces public focus on their needs. Crime is reduced to a statistical phenomenon, a matter of lost fiscal revenues and of bureaucratic enforcement.

This is no doubt a generalisation. But it is the mission of civil society, particularly associations that work to support innocent victims of organised crime and human trafficking, to maintain the focus of authorities and the public on the rights of victims and the duty of society to ensure that they are given a measure of compensation for their irreparable loss.

Firstly, we speak for victims who are killed or made to suffer losses to their security, their privacy, their property, or their right to enjoy their family lives, because of their work or their activity as citizens in an effort to restrain and overcome organised crimes.

We think of public officials, law enforcement officers, investigators, members of the judiciary, and political leaders whose unambiguous efforts to fight organised crime is repaid by the threat or the execution of vengeful acts of retribution.

We think of community leaders, entrepreneurs, and private individuals who reject and defy a culture of collaboration with organised crime or who actively denounce it, resist it, or assist formal anti-mafia state structures in combating organised crimes.

We think of journalists and activists who take great risks to expose organised crime, its workings, and its money laundering operations, who expose economic fronts that at face value appear legitimate but cover for criminal activity, and who denounce complicity of state actors.

Secondly, we are also deeply concerned for incidental victims of organised crime who as bystanders who have asked for no more than the right to live out their lives in peace found themselves in the crossfire of rival gang turf-wars or in the way of the execution of crime.

All these victims leave behind grieving families for whom their life is irrevocably altered not merely by their untimely loss but for their newly found and unasked for responsibility to speak on behalf of their lost relatives, demanding the truth surrounding the loss of their relatives, combatting the inertia of law enforcement agencies, and fighting for justice, often failing to achieve it after a lifetime of effort in vain.

We also think of victims of human trafficking, whose lives and the opportunities they have access to in Europe are incommensurably impacted by the crime committed against them, may it be forced marriage and illegal adoption, sexual exploitation, forced labour or other crimes against the person; alongside the difficulties in accessing justice and reparation, these victims and their families are not yet adequately protected in accordance to the non-punishment principle related to trafficked persons.

The first form of restitution of justice remains the appropriate enforcement of the law, the timely investigation of the crime, and the use of the evidence collected for the successful prosecution of and proportionate penalty imposed on the perpetrators. The quality of the application of laws in the enforcement of organised crime in Europe is at best unequal and any project that promotes victims' interests must underline the fact that any measures to grant victims access to judicial proceedings or compensation from the perpetrators is contingent on the effective and timely prosecution of the cases.

There is no doubt that there is unequal legislative and organisational capacity to combat organised crime in Europe despite the obviously trans-national nature of these activities which are perfectly capable of exploiting the absence of practical borders within the EU. Efforts by Europol and the institutions' program to develop a closer Security Union for the EU recognise and seek to mitigate the jurisdictional barriers on law enforcement and the asymmetry between those barriers and the free movement guaranteed to organised crime.

Harmonisation across the EU of the fight against organised crime is necessarily limited by the limited European competence in this area though we appreciate the efforts of the institutions to seek to maximise the effectiveness of EU law within those limits. We also observe the documentation of the uneven effectiveness of judicial structures across member states in the yearly Rule of Law reports that provide important benchmarks for the willingness and ability of Member States to combat corruption and organised crime. These reporting measures include the active engagement of civil society organisations in the stages of consultation which give us the opportunity to testify to the limits of the effectiveness of the institutional framework that exists.

This benchmarking and monitoring can and should be applied to promote a more harmonised legislative framework in promoting the rights and interests of victims across the EU. We wholeheartedly support the identification of the significant suffering of victims of terrorism, child victims of sexual exploitation and pornography, victims of human trafficking, and victims of domestic violence and of violence directed at women.

In addition to these, and to sharpen the focus of institutions on protecting the rights of victims, we argue for a wider recognition of mafia organisations operating throughout Europe and the need to designate mafia organisations as such in order to equip institutions with the legislative framework that is appropriate to combat them. Mafia organisations cost the lives of victims throughout Europe, not only in countries from which they may have originated and out which they may have chosen to

expand because of the pull factors of opportunities in EU jurisdictions that are less aware of the nature of mafia crime, on top of the push factors of laws and enforcement methods in their country of origin that are better equipped to restrain them.

Fighting mafia crime cannot be successful, if the job is left to institutional actors alone. There must be community awareness of the existence of mafia crime, and a mobilised community desire to denounce it, resist it, and to collaborate with institutions to overcome it.

It is therefore our strongly held view that the participation of civil society actors in the development, implementation, and monitoring of strategies in combating organised crime and in the protection and promotion of the rights and interests of its victims, is an essential and necessary component.

The participation of civil society and the active engagement of community leadership and engagement cannot merely follow the adoption of anti-mafia legislative initiatives but must also be part of the effort to draw up legislative frameworks and to seek the community's by-in for those frameworks.

The role of civil society activists and organisations cannot be merely symbolic or promotional. Civil society is in and of itself the support base for the victims of organised crime and human trafficking together with their families, themselves in turn victims who are forced to live through the consequences of those crimes. Civil society activists and organisations also mobilise a community's resistance to the social engineering perpetrated by mafia organisations who exploit state weaknesses and vulnerabilities, particularly in more deprived and peripheral regions.

This is why a central element of our argument is the promotion of the re-allocation for social re-use of assets confiscated from criminals and organised crime organisations for activities that are of direct benefit to the victims of organised crime in both the narrow sense of people who have suffered direct consequences of criminal activity despite being innocent of it and the wider sense of restoring to communities the resources that have been sequestered by and for the benefit of crime.

As with all other aspects of the reality on the ground of Europe's judicial space, there is uneven application and effectiveness of confiscation of assets and uneven understanding of the need to use those confiscated assets to go some way to compensate victims and communities for the losses they have suffered as a result of the activities of the former and unlawful owners of those assets.

Similarly, we campaign to reduce the uneven application of the guidance on the restitution and compensation for victims for offences defined in the now decades old UN Convention against Transnational Crime.

Too many victims of crime and human trafficking in Europe continue to be denied compensation for their costs to participate in judicial proceedings, for income lost to their efforts to secure truth and justice for their lost relatives, and for the moral, physical, psychological, and emotional injury they are forced to suffer for years. Too many victims of corruption in state institutions in Europe are denied access to appropriate compensation from the state without the need of even longer and even more expensive litigation to secure what is their right to begin with.

We therefore propose as part of this manifesto two specific initiatives that we submit and that will have the effect of promoting wider EU understanding and improved institutional effectiveness in the effort to protect the interests of victims of organised crime and human trafficking:

- **The establishment of a permanent round table among institutions, the victims and their families and civil society organisations.**

This would open a permanent forum of dialogue and strengthen an alliance of shared interests between victims of crime and their wider support network in civil society on the one hand and institutions on the other. It would retain the focus of the primary consequence of organised crime. It would empower families and supporters of victims to contribute to the prevention of further losses to organised crime. It would keep institutions focused on keeping in place investigations into unresolved crimes. It would promote initiatives of compensation at a policy level.

- **The institution of a Defender for the Victims of Trafficking and Organised Crime at EU level, ensuring the full and comprehensive implementation of the EU Directives for the victims' rights and for the protection of victims of human trafficking.**

The Defender would give a voice to victims of organised crimes and human trafficking with all institutional levels in the Union, from the municipal to the EU level promoting the shared mission to protect the rights of victims and to prioritise justice in response to the outrages of organised crime and human trafficking networks.

5. PROTECTING THE ENVIRONMENT AND PUBLIC HEALTH FROM THE ECOMAFIAS

Ecomafias is the word coined by the Italian organisation Legambiente to refer to all those criminal activities that focus on the trafficking and illegal disposal of waste, illegal construction and in general predatory crimes against the environment considered as a business domain. Local and national level private and mafia interests fit perfectly into the global system that sees the environment as an object to be exploited, with consequences that are not limited to the devastation of the ecosystems.

Ecomafias are criminal organisations that create economic systems based on the depredation of natural resources and the destruction of the environment causing serious damage or risk to the environment and/or human health. Moreover, the substantial public investments in renewable energies and waste management constitute a new, enormously attractive market for mafias.

The need to jumpstart the economy along with the enormous liquidity made available to European states to revive businesses must not become an excuse to abandon the fundamental goal of energy transition, building environmentally sustainable societies and economic systems, and protecting biodiversity. We believe that human health is inextricably linked to the preservation of the environment and that, on the other hand, ecomafias' crimes directly affect the citizens, denying them the opportunity to live in a healthy and welcoming environment.

Ecomafias – as criminal organisations that create economic systems in which natural resources are despoiled and the environment is destroyed to the grave detriment of public health – portray a disturbing picture about environmental illegalities and the role that criminal organisations play in waste management and beyond. There is a need for European states and the European Union to commit to recognizing and combating ecomafias in whatever form they take.

Whilst in some EU countries research and awareness concerning those topics is more advanced, the EU lacks an adequate framework of action and the data collection of crimes against the environment is not as thorough and as systematic as in other areas of criminal activity. The invitation is, therefore, to research centres and institutes to deepen the available knowledge concerning the exploitation of the environment carried out by organised crime and through illicit practices; and to civil society organisations in Europe to join forces because the defence and protection of our environment from over-exploitation, land grabbing and deterioration is also a commitment against organised crime, corruption and money laundering.

The Europol's 2022 Threat Assessment on Environmental Crimes highlights that 'in 2020, the annual revenues for the trafficking of hazardous waste in the EU were estimated at between EUR 1.5 billion and EUR 1.8 billion, while the profits generated by trafficking of non-hazardous waste ranged between EUR 1.3 billion and EUR 10.3 billion.' The same report establishes a precise geographical

direction and pattern for what concerns the illegal disposal of waste and the exploitation of natural resources. From Western to Eastern European countries, and from the EU to continents such as Africa and Asia, organised crime tends to replicate and follow (re)colonisation practices: it is essential to recognise this phenomenon when analysing the relationship existing in the EU between capitalism and organised crime in the environmental realm.

Several have been the steps taken by the EU to protect the environment from organised crime. The first was the 2003 Forest Law Enforcement, Governance and Trade Action Plan (FLEGT) but after that many more directives, action plans and regulations followed. We applaud the creation of the informal network connecting police officers and other crime fighters in the field in the EU, [EnviCrime-Net](#).

At the moment the European Union is on the right path to acquire a valid framework to tackle the profits of organised crime from environmental crimes, thanks to the new proposal of Directive currently in discussion.

We therefore call the European Parliament and Council

- **To speedily approve the new proposal of directive on the protection of the environment through criminal law, in the amended version as voted by the European Parliament before the end of its current mandate;**

And we call the Member States

- **To start the necessary adjustments for a quick ratification of the new Directive.**