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ANNEX II

of the Commission Implementing Decision on the financing of the annual action programme to be financed from the general budget of the Union for Article 5 of the Instrument contributing to Stability and Peace for 2019

Action Document for Fighting Organised Crime

### ANNUAL PROGRAMME

This document constitutes the annual work programme in the sense of Article 110(2) of the Financial Regulation and action programme/measure in the sense of Articles 2 and 3 of Regulation No 236/2014.

<table>
<thead>
<tr>
<th>1. Title/basic act/CRIS number</th>
<th>Annual Action Programme 2019- Fighting Organised Crime CRIS number: IFS/2019/041-844 financed under the IcSP</th>
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<tbody>
<tr>
<td>2. Zone benefiting from the action</td>
<td>Global</td>
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<tr>
<td>4. SDGs</td>
<td>Primarily SDG 16 &quot;Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels”, and subsidiary SDG 3 &quot;Ensure healthy lives and promote well-being for all at all ages&quot;.</td>
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<tr>
<td>5. Sector of intervention/thematic area</td>
<td>Fight against organised crime</td>
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<tr>
<td>6. Amounts concerned</td>
<td>Total estimated cost: EUR 9 000 000</td>
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<tr>
<td>7. Aid modality(ies) and implementation modality(ies)</td>
<td>Project Modality: Component 1 (Cybercrime): Indirect management with the Council of Europe Component 2 (AIRCOP V): Indirect management with UNODC (under agreement with the UN Secretariat)</td>
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<tr>
<td>8 a) DAC code(s)</td>
<td>15130 - Legal and judicial development (Component 1)</td>
</tr>
<tr>
<td>8 b) Main Delivery Channel</td>
<td>10000 - Public Sector Institutions</td>
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<td>9. Markers (from CRIS DAC form)</td>
<td>General policy objective</td>
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<td>Participation development/good governance</td>
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<td>Aid to environment</td>
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<td>Gender equality and Women’s and Girl’s Empowerment</td>
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<td>Trade Development</td>
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<td></td>
<td>Reproductive, Maternal, New born and child health</td>
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<td></td>
<td>RIO Convention markers</td>
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<td></td>
<td>Biological diversity</td>
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<td></td>
<td>Combat desertification</td>
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<td></td>
<td>Climate change mitigation</td>
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<tr>
<td>10. Global Public Goods and Challenges (GPGC) thematic flags</td>
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**SUMMARY**

The overall objective of the action is to prevent and fight organised crime, including the fight against cybercrime and the illicit trafficking of drugs and counterfeited goods.

**Component 1: Global Action on Cybercrime Extended (GLACY+)**

The specific objective is to strengthen the capacities of States worldwide to apply legislation on cybercrime and electronic evidence and enhance their abilities for effective international cooperation in this area, while ensuring compliance with international human rights standards and the rule of law. Building on the experience of the joint EU-Council of Europe project "Global Action on Cybercrime", in order to further consolidate its results and expend its coverage, it is proposed to implement this action in indirect management with the Council of Europe, in close cooperation with EU Member States as well as the European Cybercrime Centre at Europol (EC3) and INTERPOL.

**Component 2: Airport Communications Project (AIRCOP) - Phase V**

The specific objective of the proposed component is to build, consolidate and strengthen drug-interdiction capacities (i.e. JAITF – Joint Airport Interdiction Task Force) at selected international airports in Africa, Latin America and the Caribbean and connecting them to international law enforcement databases to ensure the real-time transmission of operational information. This component will promote coordination, intelligence and information sharing between services at national and international level as well as an intelligence-led approach to countering drug trafficking and organized crime. It will also provide law enforcement officers from beneficiary countries with tools and methods for proactive profiling and targeting operations. Phase V of AIRCOP will put strong emphasis on linking up AIRCOP JAITFs with their law enforcement counterparts at airports in the EU.

**1 CONTEXT ANALYSIS**

**1.1 Context Description**

Both components in this action aim to address the fight against different types of organised crime activities, as identified in the IcSP Strategy paper 2014-2020 and Multiannual Indicative Programme 2018-2020. The proposed approach for all Components is in line with the IcSP’s security orientation and programming principles, while it seeks to strengthen the internal-external security nexus in support of the implementation of the European Agenda on Security and at the same time contribute primarily to the progressive achievement of SDG 16 of Agenda 2030.

Transnational organised crime is a multi-faceted phenomenon and manifests itself in different activities, particularly in developing countries, weak democracies and in post-conflict environments. Together with corruption, OC has a devastating impact on the rule of law, hindering the normal functioning of public services and enabling democratic backsliding.

**Component 1: Global Action on Cybercrime Extended (GLACY+)**

In many developing countries, the use of information and telecommunication technologies (ICT) is rapidly spreading and a number of them are undertaking important efforts to benefit from the development prospects offered by ICT and expanding broadband services. However, these opportunities are exploited by (often organised) criminals. The lack of consistent legal instruments in some developing countries offers safe havens for cyber criminals, enables them to store their resources as well as protects them from any international law enforcement / judicial attempts at prosecution. Moreover, the fact that any crime may entail electronic evidence on a computer system
has serious implications for criminal justice systems and therefore the criminal justice system and law enforcement agencies need to be enabled to deal with electronic evidence.

Progress has been made in recent years and the Convention on Cybercrime ("Budapest Convention") has played a major role in this respect. Many countries have begun to reform their legislation, and tools and practices by creating high-tech crime units, having law enforcement and judicial trainings, fostering partnerships between public and private sector and enhancing their international cooperation.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

The global number of air passengers is expected to double in the coming 20 years. The increasing flow of air passengers and growing connectivity offered by airlines are prone to exploitation by high-risk and suspicious passengers, such as illicit traffickers, but also terrorists (including potential foreign terrorist fighters and returnees).

Absolute global demand for drugs is expected to grow steadily in future due to the global population growth and ever more individuals rising out of poverty. Africa and South East Asia have already started to constitute new growing destination markets for drugs and other illicit goods. Commensurably, global cultivation of natural drugs (coca and heroin) is expected to continue rising, as is the production of synthetic drugs. Cocaine is trafficked across the Atlantic to the European Union via the Caribbean and the Atlantic Coast of Africa (from South Africa to Morocco) via sea or air. Trafficking by air has become more frequent, but quantities intercepted remain comparatively small. Drugs being trafficked by air seized from 2009 to 2014 accounted for 46 per cent of global seizure cases. Heroin and opium produced in the Golden Crescent region leave through the northern route via Central Asia and the Russian Federation or are trafficked via the southern route and go to the Gulf countries and especially East Africa. From there, they are shipped directly to the European Union by air or they continue along the East African seaboard to South Africa where they leave for the European Union and North America. This so-called southern heroin route has incentivised creation of local drug markets in East and Southern Africa.

Recent attention has focused on the threats posed by methamphetamine and new psychoactive substances (NPS). West Africa in particular appears to have become an established source of methamphetamine and amphetamine smuggled via Southern Africa or Europe into East and South-East Asia and Oceania, with new trafficking routes linking previously unconnected regional methamphetamine markets.

Many countries still lack the technical capacities and technological capabilities to undertake comprehensive and efficient profiling, inspections of shipments and luggage, or body checks, without impacting the smooth operations of commercial airports. Existing national law enforcement initiatives are further undermined by a limited level of specialization, poor inter services coordination as well as deficiencies in available means of operational communication. The culture of intelligence gathering and information sharing between the different law enforcement agencies in one country as well as between source, transit and destination countries is essential and needs to be rooted in regular working methods.

**1.2 Policy Framework (Global, EU)**

The EU policy framework in the domain of security capacity-building and cooperation is anchored in 2016 EU Global Strategy and the 2017 new European Consensus on Development. Specifically, it revolves around principles of security-development nexus (security as both a necessary and sufficient condition for development) and internal-external nexus (coherence between internal and external policy). Also relevant to the EU policy framework in the broader area of security, is the external dimension of the 2015 European Agenda on Security [COM(2015) 185 final, 28.4.2015]. The priorities of the EU Policy Cycle for organised and serious international crime for the period 2018 - 2021 (adopted by the Council of the EU on 18 May 2017) include cybercrime, drug
trafficking, facilitation of illegal immigration, organised property crime, excise and MTIC fraud, trafficking in human beings, environmental crime, illicit firearms trafficking, document fraud and criminal finances and money laundering.

1.3 Public Policy Analysis of the partner country/region

Many developing countries lack the right policy to undertake comprehensive and efficient actions against organised crime. Existing national law enforcement and criminal justice initiatives are further undermined by a limited level of specialization, poor or inexistent legislation as well as deficiencies in available means for cooperation at operational level. The culture of intelligence gathering and information sharing and evidence exchange between the different criminal justice actors at national and international level requires two main layers of intervention: in the criminal justice system and legislation. These actions will address the gaps or inconsistencies allowing beneficiary countries to develop a proper culture to fight against organised crime as well as put in place relevant and efficient legislation to gain resilience and efficiency as well as train and specialise law enforcement, prosecutors and judges in the different domains.

1.4 Stakeholder analysis

Component 1: Global Action on Cybercrime Extended (GLACY+)

Key stakeholders will be third country governments including legislators, competent ministries (ICT, Security, Justice, etc) and pertinent national authorities (police/high-tech crime units/financial crime units, lawyer associations, cybersecurity public agencies and Computer Emergency Response Teams), the private sector (particularly Internet Service Providers), civil society (especially those dealing with digital rights), and end-users.

At EU level, there are several layers of relevant stakeholders, including the European Cybercrime Centre at Europol (EC3), the European Union Agency for Network and Information Security (ENISA), EU Delegations, EU Member States’ embassies and Cybersecurity Agencies, as well as EU experts, who will provide expertise and good practice.

Component 2: Airport Communications Project (AIRCOP) – Phase V

Beneficiary authorities are those having direct competencies in: a) controlling in- and out-flows of persons and cargoes; b) airport drug law enforcement; or c) more generally, law enforcement at international airports. Further, relevant counterpart agencies at selected international airports include: Customs; National Police Service; National Immigration Service; INTERPOL National Central Bureaux (NCBs); Airport authorities; National Drug Agencies.

As law enforcement institutional and organisational arrangements remain governmental prerogatives, the national agencies concerned will be leading the decision-making process regarding what form of joint airport interdiction task force (JAITF) and inter-agency cooperation tools and procedures are best suited to their national security architecture.

1.5 Problem analysis/priority areas for support

Component 1: Global Action on Cybercrime Extended (GLACY+)

The main challenge throughout developing countries clearly is the capacity to apply legislation on cybercrime and electronic evidence in practice. In most States, skills of prosecutors and judges to apply legislation and to prosecute and adjudicate cases of cybercrime or involving electronic evidence are close to non-existent. An increased capacity of third countries to address cybercrime is therefore a significant factor in enhancing cooperation frameworks also with the EU, for example in receiving electronic evidence in real time from other jurisdictions or cyber incident reports that can result in the EU’s strengthened resilience to cyber threats.

Moreover, in light of the increasing global polarisation on issues like Internet freedom and cyber governance, with authoritarian countries advocating cyber sovereignty, raising trade barriers and
suggesting new treaties that allow content control, a coordinated approach combining EU policy and operational toolbox is necessary. Capacity building of third countries in the area of cybercrime can play a key role in building stronger, open, free and secure cyberspace in full respect of the human rights and based on rule of law principles.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

Currently, AIRCOP covers 28 beneficiary countries in Africa, Latin America and the Caribbean, and five associate countries. During AIRCOP Phase IV, eight new JAITFs were established. In total, there are 24 JAITFs which are currently operational and four JAITF under establishment. In addition, 2 K-9/dog anti-drug units have been established, and more than 4000 officers trained (20% women), through 250 training and mentoring sessions. The established task forces participated in 24 international joint operations, during which the controls on departing, transiting and arriving passengers were heightened.

Since the operationalization of the first JAITFs in 2012, the different task forces recorded over 2000 arrests and seizures, both in passengers and cargo areas. Globally, the seizures include 7.2 tons of cocaine; 2.6 tons of khat; 5.8 tons of cannabis; 1.9 ton methamphetamine, 375 kg of heroin, 114 kg of amphetamine; 1.5 tons of precursors; 13.3 tons of illicit and counterfeit medicines; US$ 14.1 million of undeclared currency; US$ 2.75 million counterfeit currency; 9.6 tons of cigarettes and tobacco; 662 kg of ivory; 1.2 ton of pangolin scales; 232 kg of gold; 468 firearms and over 4100 ammunitions; as well as fake/fraudulent passports and visas.

What is more, AIRCOP beneficiary countries concurred that the project improved national inter-service cooperation (Police, Customs, Immigration, Airport Authorities, etc.) and operational communication between JAITFs, partner organisations and law enforcement agencies of partner countries in Europe, which proved to be successful in the fight against illicit trafficking. All in all, and in terms of indirect benefits, the EUR 11.5 million total EU contribution to AIRCOP has yielded seizures of an estimated value of over EUR 130 million according to the European retail prices.

Despite these achievements, more needs to be done: air routes and modus operandi of illicit trafficking are constantly changing. The increased use of postal express mail, baggage on rush and rip off, etc. have been recorded, inter alia, as emerging methods of drug trafficking by air. Criminal organisations quickly adjust to counter-trafficking methods and. JAITFs officials are constantly exposed to innovative concealment methods and new type of drugs. The latest technologies in terms of detection equipment and tools could further improve JAITFs’ interdiction capacity, subject to the national specificities and capabilities. Airline companies also play a major role in the successful performance of JAITFs’ task in targeting passengers and goods, and share the common goal of promoting improved and safer air transportation. Still, constraints in terms of privacy and commercial and law enforcement priorities challenge the daily working relationship between airlines and JAITFs.

The following domains have been identified as requiring further support: data collection, classification of information and usage; dissemination and exchange of information; working methodology; intelligence led-policing; monitoring of the extent of post-seizure investigations; multi-disciplinary approach on local, national and regional level; profiling, inspections of shipments and luggage or body checks; aircargo and postal mail.

### 2 Risks and Assumptions

<table>
<thead>
<tr>
<th>Risks</th>
<th>Risk level (H/M/L)</th>
<th>Mitigating measures</th>
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</thead>
<tbody>
<tr>
<td>Political instability and insecurity in beneficiary countries</td>
<td>M</td>
<td>Flexibility in projects activities to allow for varying levels of engagement and focus to avoid an overhaul of project implementation.</td>
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</tbody>
</table>
3.1 Lessons learnt

There are several common lessons learnt from past actions implemented in the framework of IcSP’s fighting organised crime priority. It is important to ensure resources are flexible enough to allow for adaption to the different needs and stages of readiness in each partner country/region. It is important to engage with authorities that demonstrate clear political will and provide for an environment ready to embrace such changes. In ensuring ownership, such support would allow capacity building in both policy making and operational levels. A demand-driven approach on the basis of a
comprehensive needs assessment is therefore necessary. Projects focusing more on operational cooperation seem to bring results that are more promising; with importance of incorporating human rights safeguards in the design and implementation of such actions. The establishment of long term relationships between relevant EU agencies and counterparts in third countries, e.g. via mentoring, is considered crucial and can strengthen the link with the external aspects of internal security policy.

Specifically on **Component 1 (GLACY+)**, in light of the experience that the EU and the Council of Europe have gained, some key lessons and best practices can be drawn: including the creation on inter-agency national project teams across the criminal justice chain that foster ownership, ensure alignment with national priorities and help an institutional change process; as well as the cooperation with national judicial and law enforcement academies and incorporation of training modules in their curricula which enhances the efficiency of the action and its chances of sustainability. Scalability of the support provided is ensured through the development of Train-the-Trainers modules. Moreover, co-operation and information sharing between specialised cybercrime units and other fields, is shared through the action's partnership with EC3 at Europol and its European Cybercrime Training and Education Group (ECTEG).

Specifically on **AIRCOP Phase V (Component 2)**, there are four main lessons learnt. First, inter-agency cooperation ensures a synergy between the mandates of the different law enforcement agencies, access to a larger number of information sources and a better understanding of the strategic and operational environment in which the JAITFs operate. This results in better operational outcomes, and less potential for corruption of participating officers, given mutual oversight from different agencies.

Second, the mix of theory (training) and practice (on-the-job mentoring and joint operations) allows for a more effective capacity building.

Third, in establishing the JAITFs, AIRCOP needs to continue to support governments in the development of inter-agency cooperation agreements incorporating in particular working procedures and adequate budgetary provisions for airport inter-service interdiction units. Time spent on fine-tuning such an agreement is essential to ensure a full engagement of all agencies. Once it is signed, it is wrong to expect that the parties would come back to negotiate the terms of the agreement.

Fourth, to give the JAITFs a more solid legal basis, several countries decided to enact inter-ministerial or presidential decrees (rather than inter-service decrees). Despite such decrees, difficulties related to the budgetary aspects of the functioning of the JAITFs arose. To sustain a JAITF, the country needs to adopt a budget by resorting to the lengthy procedure of adopting a supplementary budget/appropriation law. Budgetary trade-offs are often lengthy and complicated because of the internal status of the different agencies that make up the JAITFs.

### 3.2 Complementarity, synergy and donor coordination

A significant number of EU programmes are directly or indirectly relevant to capacity-building and law enforcement activities for fighting organised crime. Many of the actions under the current proposal build on past and on-going activities and will be complementary to other EU initiatives at national or regional level, EU member states activities, and actions from international organisations. An overview of donor coordination (within the EU and with third actors) on each specific project within this broader area of support by the IcSP will be provided in the relevant project descriptions of each action.

**Component 1: Global Action on Cybercrime Extended (GLACY+)**

There are strong complementarities and synergies with other EU-funded actions, particularly in the Western Balkans and Neighbourhood (namely: Cyber@EaP, and CyberSouth under the remit of the European Commission's Directorate-General for Neighbourhood and Enlargement Negotiations) which are implemented by the Council of Europe and therefore operational coordination is ensured
by the Council of Europe's Cybercrime Programme Office. Considering the synergies between cybercrime and cybersecurity, particular attention will be placed to foster cooperation with IcSP's project "Cyber Resilience for Development (Cyber4D)", as well as with current and future projects under geographical financial envelopes. At the EU level the inter-service group on cyber issues allows for a framework of such internal coordination. More generally, coordination with the EU Member States is ensured in the relevant Council Working Group, i.e. the Horizontal Working Party on Cyber Issues (HWP Cyber).

This action will also seek to not only find synergies but also support other actions whereby a joint effort can maximise both parties delivery at lower costs. Coordination will be sought with international organisations and agencies on the ground.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

This action will seek complementarity and synergies with a number of relevant EU and non-EU funded actions and initiatives. These include: the other on-going components of the IcSP Cocaine Route Programme, namely SEACOP, CRIMJUST, COLIBRI and CORMS. Beyond the Cocaine Route Programme, AIRCOP will seek complementarity and synergies with:

- The International Civil Aviation Organization (ICAO) with a focus on the implementation of national API/PNR- systems at the national level;
- The International Air Transport Association (IATA) with a view to raise awareness of and engage airlines in sharing API/PNR data for law enforcement purposes;
- The Counter-Terrorism Committee Executive Directorate (CTED), United Nations Office on Counter-Terrorism Centre (UNOCT) and the United Nations Counter-Terrorism Centre (UNCCT) with a view to strengthen border control in relation to counter-terrorism including through implementation of API/PNR systems;
- UNODC-WCO Global Container Control Programme on strengthened control over air-cargo;
- The EU funded CASE Project on capacity-building activities in the field of civil aviation security in Africa and the Arabian Peninsula;
- Along the East and Southern African littoral states, the project would seek synergies with EU-ACT action.

### 4 DESCRIPTION OF THE ACTION

#### 4.1 Overall objective, specific objective(s), expected outputs and indicative activities

The overall objective of Components 1 and 2, in accordance with the IcSP Multi Annual Indicative programme 2018-20, is to prevent and fight organised crime, including the fight against cybercrime and the illicit trafficking of drugs and counterfeited goods.

This programme is relevant for the Agenda 2030. It contributes primarily to the progressive achievement of SDG Goal 16, but also promotes progress towards Goals 3 and 5. This does not imply a commitment by the countries benefiting from this programme.

**Component 1: Global Action on Cybercrime Extended (GLACY+)**

The specific objective is to strengthen the capacities of States worldwide to apply legislation on cybercrime and electronic evidence and enhance their abilities for effective international cooperation in this area, while ensuring compliance with international human rights standards and the rule of law.

The expected outputs are:

- **Output 1**: Increased awareness of decision makers on cybercrime threats and reviewed national criminal law frameworks and policies, in line with the Budapest Convention on Cybercrime, including rule of law and human rights safeguards.
• **Output 2**: Strengthened due-process compliant capacities and operational skills of police authorities to investigate cases of cybercrime and electronic evidence.

• **Output 3**: Enhanced capacities of criminal justice authorities to apply legislation and prosecute and adjudicate cases of cybercrime and electronic evidence in compliance with international human rights law.

• **Output 4**: Improved inter-agency, public-private and international co-operation against cybercrime.

• **Output 5**: Support other initiatives either EU-funded or member state-funded ensuring synergies while facilitating the delivery of certain activities foreseen in this action.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

The **specific objective** of the proposed component is to build, consolidate and strengthen drug-interdiction capacities (JAITF – Joint Airport Interdiction Task Force) at selected international airports in Africa, Latin America and the Caribbean, connecting them to international law enforcement databases to ensure the real-time transmission of operational information at regional and transregional level, as well as with JAITF counterparts at airports in the EU.

Beneficiary countries will be selected based on relevance to the EU and in coordination with EU Member States law enforcement agencies present at airports.

The detailed expected outputs of the proposed component are:

• **Output 1**: JAITFs are strengthened at the strategic, managerial and administrative levels and equipped with tools and methods which are not yet part of their national law enforcement cultures;

• **Output 2**: The operational capacity of JAITFs is strengthened in areas, such as emerging threats, including trafficking by mail, the analysis of API/PNR data, as well as forensics and post-seizure investigation;

• **Output 3**: Regional and trans-regional communication and information exchange, especially with JAITF counterparts at airports in the EU, is fostered;

• **Output 4**: AIRCOP knowledge and local expertise are built and consolidated.

**Main activities**

**Component 1: Global Action on Cybercrime Extended (GLACY+)**

To achieve the outputs for component 1, the main activities will indicatively include:

*Under Output 1:* (i) Review of domestic legislation; (ii) Engagement with national decision-makers and legislators; (iii) Support to domestic law drafting working groups; (iv) Training activities on conditions and safeguards as well as data protection; (v) National and regional meetings for awareness raising, strategic engagement, and sharing of good practices.

*Under Output 2:* (i) Review of institutional capacities for cybercrime investigations as well as computer forensics; (ii) Advice, sharing experience and study visits on the establishment or strengthening of specialised services; (iii) Support to law enforcement training (including training of trainers) and incorporation of the courses in the curricula of the training academies; (iv) Support to standard operating procedures for the use of electronic evidence; (v) Promotion of interagency co-operation amongst cybercrime units, financial investigators and financial intelligence units in the search, seizure and confiscation of online crime proceeds; (vi) Promotion of public/private co-operation, in particular on law enforcement and service provider co-operation on access to electronic evidence.
Under Output 3: (i) Review of institutional capacities for cybercrime prosecutions as well as computer forensics; (ii) Advice, sharing experience and study visits on the establishment or strengthening of specialised services; (iii) Support to judicial training (including training of trainers) and incorporation of the courses in the curricula of the training academies; (iv) Support to standard operating procedures for the admissibility of electronic evidence.

Under Output 4: (i) Review of rules, procedures and institutional capacities for international cooperation on cybercrime and electronic evidence; (ii) Training and advice for 24/7 points of contact; (iii) Support to participation in international initiatives.

Under Output 5: (i) Support established training institutions (national or regional) either financially or providing specific activities relevant to the action. (ii) Accommodate training modules and general project delivery entrusting existing institutions to foster a sustainable network of practitioners for capacity building. (iii) Delivery of relevant equipment to accomplish the objectives of the action.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

To achieve the outputs for component 2, the main activities will indicatively include:

**Under Output 1:** (i) Review and update of the MoUs and the Standard Operating Procedures of the JAITFs; (ii) Preparation annual assessments reports of each JAITF; (iii) Organization of regional training workshops for heads of JAITFs on management of the JAITFs; (iii) Supporting the development of Standard Operating Procedures to be followed in case of interception/seizure.

**Under Output 2:** (i) Supporting JAITFs in reaching cooperation agreements with airline companies on the access to passenger data (PNR-Passenger Name Record), with the support of national civil aviation authorities and governments; (ii) Organization of regional workshops with national civil aviation authorities and AIRCOP focal points on the importance of API/PNR for law enforcement and the specific role of JAITF in this regard; (iii) Delivering specialised on-site mentoring on advanced targeting for the intelligence cell of the JAITFs and on risk analysis and identification of suspicious items sent by postal and express mail; (iv) Training of selected JAITFs staff on good practices and standard procedures related to forensics; (v) Linking JAITFs and relevant laboratories with an aim of conducting systematic analysis of seized drugs and linking and training of JAITFs on the newly developed INTERPOL drugs analysis file.

**Under Output 3:** (i) Provision of ad-hoc on-the-job guidance to JAITFs to improve the use of all features WCO’s CENcomm system and INTERPOL’s I-24/7 system; (ii) Linking all remaining JAITFs to I-24/7 databases and train selected JAITFs on the use of all features of I-24/7; (iii) Facilitate the establishment of a permanent communication channel between the JAITFs and the WCO Regional Intelligence Liaison Offices (RILO); (iv) Ensuring that all JAITFs have access to simple online aircraft monitoring and tracking tools such as Flight Tracker, Flight Aware or the US Federal Aviation Administration; (v) Organization of exchange programmes and study visits between the JAITFs on each continent, as well as between continents; (vi) Organization of a WCO-COCAIR joint operation in 2020 and support to JAITFs to participate in operations organised by INTERPOL, WCO, EUROPOL, French Customs, etc.; (vi) Linking up of JAITFs with their counterparts at airports in the EU; (vii) Organisation of operational transregional meetings with JAITFs’ counterparts from EU Member States.

**Under Output 4:** (i) Consolidation of the AIRCOP training catalogue for experts (trainers/mentors) and JAITF staff covering all topics relevant for the interdiction of drug trafficking by air; (ii) Ensuring participation of JAITFs in training sessions leading to certificates delivered by WCO, INTERPOL, ICAO and other relevant organizations; (iii) Identification of individuals among JAITFs staff who have a relevant profile to potentially become trainers/mentors;

4.2 Intervention logic

**Component 1: Global Action on Cybercrime Extended (GLACY+)**
The rationale in the definition of the above-described result areas is based on the fact that these four dimensions (policy and legal frameworks, operational capacities of law enforcement and judiciary – i.e. across the criminal justice chain – and cooperation at inter-agency, public-private and international level) are the tenet of any basic conceptual framework in addressing cybercrime.

In order to identify priority countries, in line with the IcSP Regulation's requirement for a transregional focus Article 5a.i, a set of criteria has been developed on the basis of inter-service coordination between European Commission (Directorate General for International Cooperation and Development and Directorate General for Migration and Home Affairs), the European External Action Service and EC3 at Europol. These include: (i) Minimum existing consistent cybercrime legislation; (ii) Political commitment to engage and with a Rule of Law ambition; (iii) Strategic role in the (sub)region; (iv) Readiness for international cooperation; (v) The level and nature of cybercrime; (vi) High impact potential; (vii) Potential policy influence in line with EU policy priorities; (viii) No overlap with other donors/possible synergies.

The tailored approach based on a continuous assessment of developments globally will be translated into the identification of (i) hub countries; (ii) priority countries not having sufficient capacities to serve as hubs; (iii) associate countries in the preparation of cybercrime legislation or engaged with project’s activities.

Through the train-the-trainers component and the support of existing relevant entities (such as training institutions) as well as running and planned actions on behalf of other relevant players, including EU member states and international institutions, ensures the increase of sustainability beyond the project’s existence and ensure ownership of partner countries.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

Airport interdiction and information sharing capacities, namely Joint Airport Interdiction Task Forces (JAITFs), have been established to a certain extent and are to be further strengthened under the proposed action.

The underlying global assumption is that better equipped and trained law enforcement personnel at international airports having the necessary means to communicate key information to counterparts in other locations on in and outbound flights will be a major step in combating drug trafficking in Africa, Latin America and the Caribbean, and will contribute to making the most vulnerable countries less attractive to drug traffickers, therefore also reducing the likelihood of usually associated crimes, such as corruption and violence.

In line with the lessons learned from AIRCOP I, II, III and IV the need for stronger political commitment must be emphasized, as well as the need to fully involve airline companies and other private operators at an early stage. The use of EU Member States expertise, as well as that of other relevant international organizations, will play a key role in the training and mentoring of relevant law enforcement agencies at participating airports.

### 4.3 Mainstreaming

Actions in the area of fighting against organised crime cut across many different sectors and issues, ranging from human rights, gender equality, good governance and migration to criminal law and border management.

Concerning gender, a key consideration in security-related actions is that in both developed and developing countries this is a traditionally male-dominated field. Increasing involvement of women in this field, as well as awareness raising of local authorities on such issues might have a progressive positive impact on their empowerment and inclusion in the relevant structures of their countries.

To ensure compliance of the proposed action with the obligations stipulated in Article 10 (“Human rights”) of Regulation (EU) No 230/2014, a clear human rights perspective should be incorporated
throughout the different stages of the project cycle (project design/formulation; monitoring of implementation; evaluation) on the basis of the operational guidance developed to this end by the European Commission (https://ec.europa.eu/europeaid/operational-human-rights-guidance-eu-external-cooperation-actions-addressing-terrorism-organised_en). Any potential flow-on risk on the respect of human rights should be constantly monitored and mitigating measures need to be foreseen.

The integration of a gender sensitive perspective throughout the project cycle and in accordance to the specificities of the crimes at hand shall make the actions more sustainable through: (i) ensuring that national authorities are aware of relevant women’s human rights norms and standards and that they are trained to respect and protect these rights while performing their functions; (ii) supporting the legislative reforms that are gender-sensitive; (iii) promoting the balanced representation of women in the security sector; and (iv) fostering the increased participation of women in all operational activities related to the actions.

Involvement of civil society is also key for a holistic approach in addressing the organised crime phenomenon. In a similar vein, beneficiary countries will be advised to follow the same principles especially as regards gender equality principles and guidelines as to fair and non-discriminatory treatment.

Specifically on GLACY+ (Component 1), it is relevant to highlight the cross-cutting aspects noted in the 2015 EU Council Conclusions on Cyber Diplomacy that reaffirm the need to “foster open and prosperous societies through cyber capacity building measures in third countries that enhances the promotion and protection of the right to freedom of expression and access to information and that enables citizens to fully enjoy the social, cultural and economic benefits of cyberspace, including by promoting more secure digital infrastructures”.

Specifically on AIRCOP Phase V (Component 2), as regards to gender-related issues, although illicit trafficking is predominantly run by men, women are increasingly playing the role of mules. This threat is best addressed by female officers (for both search and interview). As such, throughout the implementation of the action, the above gender-related recommendations will be especially pertinent.

4.4 Contribution to SDGs

This intervention is relevant for the 2030 Agenda. It contributes primarily to the progressive achievement of SDG(s)16 "Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels", and 5 "Achieve gender equality and empower all women and girls"

5 IMPLEMENTATION

5.1 Financing agreement

In order to implement this action, it is not foreseen to conclude a financing agreement with the partner countries.

5.2 Indicative implementation period

The indicative operational implementation period of this action, during which the activities described in section 4 will be carried out and the corresponding contracts and agreements implemented, is 64 months from the date of adoption by the Commission of this Action Document. Extensions of the implementation period may be agreed by the Commission’s authorising officer responsible by amending this decision and the relevant contracts and agreements.
5.3 Implementation modalities

The Commission will ensure that the EU appropriate rules and procedures for providing financing to third parties are respected, including review procedures, where appropriate, and compliance of the action with EU restrictive measures.

5.3.1. Indirect management with an international organisation

**Component 1: Global Action on Cybercrime Extended (GLACY+)**

This component of the action may be implemented in indirect management with the Council of Europe. This implementation entails carrying out all the activities as described in chapter 4.1 aiming to strengthen the capacities of countries worldwide to apply legislation on cybercrime and electronic evidence and enhance their ability for effective international cooperation in this area in compliance with international human rights standards and the rule of law. The envisaged entity has been selected using the following criteria: the Council of Europe has a unique expertise in the domains the proposed action intends to address. The CoE is the guardian of the Budapest Convention on Cybercrime, the main international legal instrument to fight cybercrime and such possess unique experience in providing effective and sustainable capacity building in this domain. Moreover, the CoE has been and efficient implementer of previous phases of the project.

In case the envisaged entity would need to be replaced, the Commission’s services may select a replacement entity using the same criteria.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

This component of the action may be implemented in indirect management with the United Nations Office on Drugs and Crime (UNODC). This implementation entails establishment of enhancement of capacities of Joint Interdiction Task Forces in beneficiary countries and linking them up at regional and transregional level, including with their counterparts at airports in the EU. The envisaged entity has been selected using the following criteria: The Commission service responsible for management of previous phases of this component deems that, based on the long-lasting problem-free cooperation, the proposed international organisation can be entrusted with budget-implementation tasks under indirect management.

UNODC is the UN body mandated to assist Member States in their fight against illicit drugs. UNODC is the custodian of the 2000 UN Convention against Transnational Organized Crime (UNTOC) and of the UN drug control conventions of 1961, 1971 and 1988. In 2014, the General Assembly requested UNODC to help to establish international networks and partnerships among Member States in the area of international cooperation in criminal matters.

The entrusted international organisation (UNODC) is currently undergoing the ex-ante assessment in accordance with Article 61(1) of Regulation (EU, Euratom) No 966/2012. The Commission’s authorising officer responsible deems that, based on the compliance with the ex-ante assessment based on Regulation (EU, Euratom) No 1605/2002 and long-lasting problem-free cooperation, the international organisation can be entrusted with budget-implementation tasks under indirect management. UNODC is dependent of the UN Secretariat, as confirmed during the 5th FAFA working group in April 2008, and it is covered by the four pillars analysis performed for the UN Secretariat.

INTERPOL and the World Customs Organisation (WCO) will be partners in the implementation of the present action. INTERPOL will provide JAITFs with access to I-24/7 network and relevant

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1 www.sanctionsmap.eu Please note that the sanctions map is an IT tool for identifying the sanctions regimes. The source of the sanctions stems from legal acts published in the Official Journal (OJ). In case of discrepancy between the published legal acts and the updates on the website it is the OJ version that prevails.

2 Final Report International Organisations – completion of compliance analysis with internationally accepted standards, 7 March 2008
databases, whereas WCO will roll out its new communication system, CENcomm 3.0. In case the envisaged entity would need to be replaced, the Commission’s services may select a replacement entity using the same criteria.

5.3.2. Changes from indirect to direct management mode due to exceptional circumstances.

Direct award to an entity with the following criteria: extensive and accredited expertise in the areas of the proposed actions, experience in implementing EU funded projects actions in the in the domains of this action document.

5.4 Scope of geographical eligibility for procurement and grants

The geographical eligibility in terms of place of establishment for participating in procurement and grant award procedures and in terms of origin of supplies purchased as established in the basic act and set out in the relevant contractual documents shall apply.

The Commission’s authorising officer responsible may extend the geographical eligibility on the basis of urgency or of unavailability of products and services in the markets of the countries concerned, or in other duly substantiated cases where the eligibility rules would make the realisation of this action impossible or exceedingly difficult.

5.5 Indicative budget

<table>
<thead>
<tr>
<th></th>
<th>EU contribution (amount in EUR)</th>
<th>Indicative third party contribution, in currency identified</th>
</tr>
</thead>
<tbody>
<tr>
<td>5.3.1. Comp A – Indirect management with Council of Europe</td>
<td>5,000,000</td>
<td>N.A.</td>
</tr>
<tr>
<td>5.3.1. Comp B – Indirect management with UNODC (through UN Secretariat)</td>
<td>4,000,000</td>
<td>N.A.</td>
</tr>
<tr>
<td>5.8 Evaluation; 5.9 Audit</td>
<td>will be covered by another decision</td>
<td>N.A.</td>
</tr>
<tr>
<td>5.10 Communication and visibility</td>
<td>It will be included under the individual contracts of the components</td>
<td>N.A.</td>
</tr>
<tr>
<td>Contingencies</td>
<td>0</td>
<td>N.A.</td>
</tr>
<tr>
<td>Total</td>
<td>9,000,000</td>
<td>N.A.</td>
</tr>
</tbody>
</table>

5.6 Organisational set-up and responsibilities

Component 1: Global Action on Cybercrime Extended (GLACY+)

The implementation of this Action will be coordinated and led by the Council of Europe. An appropriate management structure will be established to ensure the coherence of the project. Activities under all result areas will commence with an assessment of capabilities and conclude with an assessment of progress made. The project will support processes of reform by combining measures at policy levels with measures at the level of practitioners, and by combining activities at domestic levels with regional and international activities.

Moreover, in order to guarantee the global strategic orientation of the programme, the Contracting Authority together with the implementing partner will establish and co-chair a Steering Committee aiming to monitor progress made in project implementation, approve the work plans of the project, approve ad-hoc support to a specific country, review progress reports and other documentation, ensure the participation of all relevant stakeholders in project activities, promote synergies with actions of bilateral and regional cooperation of the EU and its Member States and coordination with the programmes and projects financed by other donors.

The responsibilities of the implementing partner will include, inter alia:

Undertake a comprehensive set of responsibilities ensuring (i) an accurate assessment of the needs and stakeholders (ii) a bottom-up approach in the design and implementation of activities (iii) that
human rights risk mitigation strategies are streamlined. The project will always be accompanied by an efficient communication and visibility strategy.

Throughout the implementation of activities will set up a system of indicators in order to (i) follow up the activities and measure the results (ii) to ensure gender quality (amplifying women’s role in the activities (iii) to reinforce the collaborative links of the beneficiary countries’ amongst themselves and counterparts (iv) to ensure operational coordination with other initiatives on the ground.

**Component 2: Airport Communications Project (AIRCOP) – Phase V**

**National Focal Points:** Close collaboration and coordination between the UNODC Project Team and the national authorities is key for the creation of Joint Airport Interdiction Task Forces. National coordination structures, the AIRCOP National Focal Points (NFPs), are set up in each country to interface between the airport services and the UNODC Project team; to facilitate information exchange at national level; and to support the establishment/empowerment of JAITFs/existing interdiction units. National Focal Points and Heads of the JAITFs participate in relevant AIRCOP activities, including regional workshops and international meetings.

**Steering Committee:** At project level, overall guidance for the implementation will continue to be provided by the project Steering Committee, tentatively composed of UNODC, INTERPOL, WCO and the European Commission. The Contracting Authority will chair the Steering Committee meetings.

**AIRCOP International Meetings:** AIRCOP International Meetings foresee the participation of AIRCOP beneficiary and associated countries (AIRCOP National Focal Points and Heads of the JAITFs). These meetings aim at exchanging experiences and good practices in the fight against illicit trafficking via air routes, creating links between AIRCOP countries and strengthening the coordination of actions and the sharing of information between JAITFs.

**5.7 Performance monitoring and reporting**

The implementing partners of this action shall establish a permanent internal, technical and financial monitoring system for the action and elaborate regular progress reports (not less than annual) and final reports. Every report shall provide an accurate account of implementation of the action, difficulties encountered, changes introduced, as well as the degree of achievement of its results (outputs and direct outcomes) as measured by corresponding indicators, using as reference the logframe matrix. Particular attention should be given from the outset to the logframe matrix which should be updated at the start of the implementation to include baseline data and corresponding indicators at a project global level and also priority country level with disaggregated data by gender. The structure of the Monitoring and Evaluation system of each Component shall be elaborated on the basis of these parameters prior to the start of the implementation with clear indication of the reporting responsibilities and adequate allocation of human and financial resources to follow up. The report shall be laid out in such a way as to allow monitoring of the means envisaged and employed and of the budget details for the action. The final report, narrative and financial, will cover the entire period of the action implementation.

The Commission may undertake additional project monitoring visits both through its own staff and through independent consultants recruited directly by the Commission for independent monitoring reviews (or recruited by the responsible agent contracted by the Commission for implementing such reviews).

**5.8 Evaluation**

Having regard to the importance of the proposed actions, the final evaluation will be carried out via an implementing partner. In the case of GLACY+, the lessons learnt during the evaluation could allow better levels of delivery and learning purposes at various levels (including for policy revision). In the case of AIRCOP, the evaluation will seek to measure the achievements of the
proposed action and determine to which extent have initial objectives been met and planned outcomes realized. The evaluation will add to organizational learning by informing on the shortcomings and challenges encountered in project implementation and identifying the lessons learned and best practices.

In case an evaluation is not foreseen, the Commission may, during implementation, decide to undertake such an evaluation for duly justified reasons either on its own decision or on the initiative of the partner.

The Commission shall inform the implementing partner at least one month in advance of the dates foreseen for the evaluation missions. The implementing partner shall collaborate efficiently and effectively with the evaluation experts, and inter alia provide them with all necessary information and documentation, as well as access to the project premises and activities.

The evaluation reports shall be shared with the partner country and other key stakeholders. The implementing partner and the Commission shall analyse the conclusions and recommendations of the evaluations and, where appropriate, in agreement with the partner country, jointly decide on the follow-up actions to be taken and any adjustments necessary, including, if indicated, the reorientation of the project.

The financing of the evaluation shall be covered by another measure constituting a financing decision.

5.9 Audit

Without prejudice to the obligations applicable to contracts concluded for the implementation of this action, the Commission may, on the basis of a risk assessment, contract independent audits or expenditure verification assignments for one or several contracts or agreements.

The financing of the audit shall be covered by another measure constituting a financing decision.

5.10 Communication and visibility

Communication and visibility of the EU is a legal obligation for all external actions funded by the EU.

This action shall contain communication and visibility measures which shall be based on a specific Communication and Visibility Plan of the Action, to be elaborated at the start of implementation.

In terms of legal obligations on communication and visibility, the measures shall be implemented by the Commission, the partner country, contractors, grant beneficiaries and/or entrusted entities. Appropriate contractual obligations shall be included in, respectively, the financing agreement, procurement and grant contracts, and delegation agreements.

The Communication and Visibility Requirements for European Union External Action (or any succeeding document) shall be used to establish the Communication and Visibility Plan of the Action and the appropriate contractual obligations.
APPENDIX - INDICATIVE LOGFRAME MATRIX (FOR PROJECT MODALITY)

<table>
<thead>
<tr>
<th>Results chain</th>
<th>Indicators</th>
<th>Sources and means of verification</th>
<th>Assumptions</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Overall objective: (Impact)</strong></td>
<td>To prevent and fight organised crime, including the fight against cybercrime and the illicit trafficking in small arms and light weapons and falsified medicine.</td>
<td>1. Number of successfully adjudicated cases (domestic and international) 2. Number of arrests and dismantlement of organised crime networks (drugs, migrant smuggling, cybercrime)</td>
<td>National progress reports on SDG Target 16a; World Bank, UNDP, UNODC country statistical data and reports; AIRCOP project reports; Project Evaluation(s) (Midterm review and final evaluation)</td>
</tr>
<tr>
<td><strong>Specific objectives: (Outcomes)</strong></td>
<td>C1: To enhance compliance of legislation on cybercrime and electronic evidence with international human rights standards and the rule of law.</td>
<td>1. Number of countries signing the Budapest Convention or applying legislation in line with the Budapest Convention 2. Number of countries that adopt and implement constitutional, statutory and/or policy measures for addressing organised crime in relation to cybercrime, and smuggling of drugs (on the basis of SDG Indicator 16.) 3. Number of MoUs/agreements for exchange of information in the fight against organised crime amongst relevant countries</td>
<td>Council of Europe Treaty Office (Budapest Convention) CoE Assessments and progress reviews carried out under the project.</td>
</tr>
<tr>
<td></td>
<td>C2: To build, consolidate and strengthen drug-interdiction capacities (JAITF – Joint Airport Interdiction Task Force) at selected international airports in Africa, Latin America and the Caribbean, connecting them to international law enforcement databases to ensure the real-time transmission of operational information at regional and transregional level, as well as with JAITF counterparts at airports in the EU.</td>
<td>1. Numbers of new JAITFs established. 2. Volume of data flows in the CENcomm system (measured as the number messages exchanged in a unit time in a specific region or between two regions).</td>
<td>UNODC, European Commission WCO reports on the CENcomm system.</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>The increased capacities in the partner countries to address the different manifestations of organised crime do not have a flow-on risk/adverse impact on human rights and fundamental freedoms in these countries.</td>
</tr>
</tbody>
</table>
C1.1. Increased awareness of decision makers on cybercrime threats and reviewed national criminal law frameworks and policies, in line with the Budapest Convention on Cybercrime, including rule of law and human rights safeguards.

C1.2. Strengthened due-process compliant capacities and operational skills of police authorities to investigate cases of cybercrime and electronic evidence.

C1.3. Enhanced capacities of criminal justice authorities to apply legislation and prosecute and adjudicate cases of cybercrime and electronic evidence in compliance with international human rights law.

C1.4. Improved inter-agency, public-private and international co-operation against cybercrime.

C1.5. Support provided for other initiatives (either EU-funded or member state-funded) ensuring synergies while facilitating the delivery of certain activities foreseen in this action.

C1.1.1. Number of draft laws or amendments in line with the Budapest Convention

C1.1.2. Number of cybercrime strategies and policies developed/amended in target countries including interagency cooperation and international cooperation.

C1.2.1. Number of countries where cybercrime modules and good practice guides are incorporated in police training academies and competent authorities (ex. MoI) training programmes.

C1.2.2. Number of (domestic and international) investigations on cybercrime carried out by cybercrime units in the target countries with support of this action.

C1.2.3. Number of requests for data sent to / and replies received from service providers by criminal justice authorities.

C1.3.1. Number of countries where cybercrime modules and good practice guides are incorporated in judicial training academies.

C1.3.2. Number of domestic and international prosecutions and cases adjudicated on cybercrime in priority countries.

C1.4.1 Reports by cybercrime units and prosecution offices C.1.4.2 Reports by 24/7 contact points

C1.5.2. Need assessment reports from EU MS.

Trained staff remain within their institutions beyond the capacity building exercises/duration of the project. National governments actively seek the involvement of the private sector (Internet Service Providers for C1; Manufacturers for C2; Medical/drug industry for C3) and civil society. Necessary equipment exists/is made available. Translation and interpretation services for the roll out of activities do not create delays.
<table>
<thead>
<tr>
<th>C2.1</th>
<th>The JAITFs are strengthened at the strategic, managerial and administrative levels.</th>
</tr>
</thead>
<tbody>
<tr>
<td>C2.2</td>
<td>The JAITFs are strengthened at the operational level.</td>
</tr>
<tr>
<td>C2.3</td>
<td>Regional and international cooperation is strengthened.</td>
</tr>
<tr>
<td>C2.4</td>
<td>The learning framework is standardized.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Number of JAITFs that are properly functioning at the strategic, managerial and administrative levels.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Number of JAITFs recording an increase in the number of seizures.</td>
</tr>
<tr>
<td>Number of messages exchanged through CENcomm and other channels.</td>
</tr>
<tr>
<td>Number of airports in the EU (plus UK, CH and NO) that are linked up with AIRCOP CENcomm group.</td>
</tr>
<tr>
<td>Number of trainers using AIRCOP training manual.</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Annual assessments reports prepared by UNODC, CENcomm records.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Monthly reports by JAITFs. Records of seizures by JAITFs CENcomm records.</td>
</tr>
</tbody>
</table>

| There are no substantial internal issues or political interferences. |
| JAITFs properly record seizures. |
| Viable Internet connection in Africa and WCO’s roll-out of CENcomm 3.0. |