



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 19 March 2013**

**16014/12  
ADD 1 REV 2 EXT 1**

**JAI 778  
COSI 107  
ENFOPOL 361  
CRIMORG 130  
ENFOCUSTOM 116  
CORDROGUE 82  
PESC 1363  
RELEX 1021  
COAFR 351  
COWEB 179  
TRANS 387  
UD 271  
FRONT 158  
GENVAL 83**

**PARTIAL DECLASSIFICATION**

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of document:	16014/12 ADD 1 REV 2 RESTREINT UE/EU RESTRICTED
dated:	23 November 2012
new status:	Public
Subject:	EU Policy Cycle: Implementation Monitoring

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Delegations will find attached the partially declassified version of the above-mentioned document.



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 23 November 2012**

**ANNEX**

**16014/12  
ADD 1 REV 2 EXT 1 (19.03.2013)**

**JAI 778  
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**NOTE**

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From : Presidency  
To : JHA Counsellors / COSI Support Group  
Standing Committee on operational co-operation on internal security (COSI)

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No. prev. doc. : 17796/1/11 REV 1 JAI 895 COSI 103

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Subject : EU Policy Cycle: Implementation Monitoring

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Delegations will find attached the half year monitoring reports of the eight EMPACT Operational Action Plans for the second half of 2012.

The information for the reports was collected by mid-October and aligned by the EMPACT Support Unit at Europol in accordance with the EMPACT reporting collection mechanism.

Following the presentation of the reports to the National EMPACT Coordinators at their meeting at Europol on 23–24 October 2012, the documents have been updated according to comments resulting from the meeting, and have been standardised for the purpose of submitting them to COSI.

This revised version includes amendments received at the after the COSI Support Group meeting of 14 November 2012.

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EU crime priority A (**Empact West Africa**): *“Weaken the capacity of organised crime groups active or based in West Africa to traffic cocaine and heroin to and within the EU”.*

Driver: UK

Co-driver: FR

**NOT DECLASSIFIED**

### **Drivers Report October 2012**

The EMPACT Project on West Africa was initiated in January 2012 and has worked to the Operational Action Plan and against the Strategic Goals set by COSI. **NOT DECLASSIFIED**

There is a plethora of actors, activity, initiatives and multilateral platforms with West Africa as a nexus. The focus of EMPACT West Africa activity has been to engage, de-conflict and form collaborative relationships with existing mechanisms. **NOT DECLASSIFIED**

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

### **The Future**

The draft OAP 2013 has sought to generate greater throughput and energise activity to better inform a more healthy return for investment. It focuses on the gaps and tries to provide some realistic returns. **NOT DECLASSIFIED**

**NOT DECLASSIFIED**

**( following table covers pages 7 through 13 )**

<b>Strategic Goal 1:</b> Ensure all Member States and EU Agencies pro-actively contribute to strategic and operational analyses, to deliver the most comprehensive and accurate picture of drug trafficking impacting on the EU and emanating from West Africa.					
	<b>NOT DECLASSIFIED</b>				

<b>Strategic Goal 2:</b> Improve the effectiveness of Member States' Liaison Officers coverage of West Africa, in close cooperation with EU Agencies and international stakeholders and if relevant, establish cooperation agreements with West African partners, source and other relevant countries.					
	<b>NOT DECLASSIFIED</b>				

<b>Strategic Goal 3:</b> Building on existing mechanisms, develop a single system to coordinate the activities of the EU, Member States and where possible, other relevant international stakeholders (e.g. UN, Interpol, WCO, ECOWAS and USA) regarding assistance in West Africa, with a view to emphasising operational outputs.					
	<b>NOT DECLASSIFIED</b>				

<b>Strategic Goal 4:</b> Further identify border hot spots where particular efforts should be invested, notably through adequate detection equipment and training.					
	<b>NOT DECLASSIFIED</b>				

<b>Strategic Goal 5:</b> Increase the number of joint operations, investigations and prosecutions focused on organised crime groups active in West Africa and within the EU. Make use of innovative, multidisciplinary and proactive approaches to investigate and prosecute cases of drug trafficking, including systematic use of financial investigations, with a particular emphasis on money laundering and asset recovery.					
	<b>NOT DECLASSIFIED</b>				

<b>Strategic Goal 6 :</b> Further support Western African countries in crime prevention activities in their fight against organised crime and corruption, through relevant training and development of justice and law enforcement ethics, which are compatible with EU standards.					
	<b>NOT DECLASSIFIED</b>				



EU crime priority B (**Empact Western Balkans**): *“Mitigate the role of the Western Balkans, as a key transit and storage zone for illicit commodities destined for the EU and logistical centre for organised crime groups, including Albanian-speaking organised crime groups”.*

Driver: IT

Co-driver: AT and HU

**NOT DECLASSIFIED**

### **Drivers Report October 2012**

During the reporting period out of the 14 activities listed in the Operational Action Plan 2012 of the EMPACT WB:

- # 8 activities reached the status of "Finished";
- # 1 reached the status of "Finished-on-time";
- # 2 reached the status of "not achieved";
- # 2 "ongoing"

Among the eight activities which reached the status of "Finished" there are no significant specific problematic issues to report. The activity leaders played their role according to the time schedule agreed. Targets set were in general reached. These activities can be considered successful.



**( following table covers pages 17 through 22 )**

Strategic Goal 1: To encourage MS and relevant third parties to proactively share in timely manner, information and intelligence related to Western Balkans organized crime investigations, with a view of enhancing Europol's analytical capacity thereby benefiting law enforcement activities.				
	<b>NOT DECLASSIFIED</b>			

Strategic Goal 2: To increase the number of joint operations, investigations and prosecutions, conducted by MS and relevant third parties, supported by EU Agencies, focused on Western Balkans organized crime network.				
	<b>NOT DECLASSIFIED</b>			

Strategic Goal 3: To improve coordination of Organized Crime-related financial and technical assistance in the Western Balkans, with a view to enhancing the effectiveness and sustainability of activities in this area.				
	<b>NOT DECLASSIFIED</b>			

Strategic Goal 4: To ensure that Western Balkan organised crime related investigations and prosecutions seek to disrupt criminal money flows and remove criminal wealth.				
	<b>NOT DECLASSIFIED</b>			

Strategic Goal 5: To identify and target for joint law enforcement activity those points on the EU external borders exploited by Western Balkans organised crime groups using IBM strategies to best effect.				
	<b>NOT DECLASSIFIED</b>			

Strategic Goal 6: Continue to support Western Balkans countries in their fight against corruption including inter alia prevention activities				
	<b>NOT DECLASSIFIED</b>			

Strategic Goal 7: To improve the operational tools and legal standards used by Western Balkan countries in the conduct of complex organized crime and corruption investigations and prosecutions. This would include inter alia the transfer of recognized EU best practice.				
	<b>NOT DECLASSIFIED</b>			

**Pages 23 through 36: NOT DECLASSIFIED**

EU crime priority C (**Empact Illegal Immigration**): *“Weaken the capacity of organised crime groups to facilitate illegal immigration to the EU, particularly via southern, south-eastern and eastern Europe and notably at the Greek-Turkish border and in crisis areas of the Mediterranean close to North Africa*

Driver: IT

Co-driver: Frontex

**NOT DECLASSIFIED**

## Drivers Report October 2012

### Strategic Goal n.1:

*“To maintain a comprehensive intelligence picture, at national and EU level through MS and EU Agency collaboration (in particular Europol and Frontex), including a common integrated risk analysis, on organized crime groups and the routes/modus operandi used by them for facilitating illegal immigration at the external borders and within the EU territory”*

**NOT DECLASSIFIED**

**Strategic Goal n. 2:**

*“To use the intelligence picture and risk analysis for more effective and cost-efficient border control, investigation and prosecution at the external borders and within the EU territory”.*

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

**Strategic Goal n. 3:**

*“To enhance the measures to tackle smuggling of minors including implementing the EU action plan on unaccompanied minors and the cooperation with third countries”.*

**NOT DECLASSIFIED**



**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

**Strategic Goal n. 4:**

*“To improve the effectiveness of inter-agency cooperation at EU, bilateral and national level including by enhancing vertical and horizontal information exchange”.*

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

### Strategic Goal n. 5

*“To make full use of innovative and efficient administrative procedures to disrupt organised crime groups/facilitators that abuse vulnerabilities and legal proceedings for their criminal activities”.*

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

**Strategic Goal 6:**

*“To enhance cooperation at bilateral and European level with third countries in particular with relevant illegal immigration source and transit countries”.*

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

### Strategic Goal 7

*“To contribute to and make full use of the existing and future EU tools in the fields of external border management, immigration and law enforcement such as EU databases, networks, information exchange systems and funding programmes”.*

**NOT DECLASSIFIED**

**Pages 47 through 58: NOT DECLASSIFIED**

EU crime priority D (**Empact Synthetic Drugs**): *“Reduce the production and distribution in the EU of synthetic drugs, including new psychoactive substances”.*

Driver: PL

Co-driver: NL

**NOT DECLASSIFIED**



## Drivers Report October 2012

Bearing in mind the 2012 OAPs experiences, during the next year the following recommendations should be taken into consideration:

**NOT DECLASSIFIED**

**Pages 61 through 71: NOT DECLASSIFIED**

EU Crime Priority E (**Empact container smuggling**): *“Disrupt the trafficking to the EU, particularly in container form, of illicit commodities, including cocaine, heroin, cannabis, counterfeit goods and cigarettes”.*

Driver: FR

Co-driver: NL

**NOT DECLASSIFIED**

**“Disrupt the trafficking to the EU, particularly in container form, of illicit commodities, including cocaine, heroin, cannabis, counterfeit goods and cigarettes.”**

In order to define the OAPs dedicated to containers for 2012 and 2013, experts from the Member States met in Brussels in September 2011 in order to establish some strategic goals serving as basis for the OAPs 2012 and 2013. However, two out of six strategic goals were not directly addressed through the OAPs for various reasons.

**Strategic goal 3 : “Have an appropriate level and quality of control equipment for container traffic across the EU to improve the detection of illicit goods”.**

It appeared during the discussions that this strategic goal was already addressed through other programmes. Given that the OAP participants made a priority of avoiding duplication and overlaps, this strategic goal was put aside.

In the European Union, the knowledge/experience exchange programme Customs 2013/2020 is developed under the TAXUD responsibility. There are several steering groups such as electronic customs steering group, training steering group, laboratories steering group and the working methods steering group within this programme.

All these steering groups have contact groups, knowledge groups or working groups on specific issues. **NOT DECLASSIFIED**

**Strategic goal 4 : “Create a better overall intelligence picture through access to and exploitation of the existing data bases and information systems including the use of advanced technologies like data mining”.**

This strategic goal is partly addressed through the actions set up under the other strategic goals, such as the actions 1.3, 2.3 or 5.4 of the OAP containers, that will provide a better intelligence picture on various topic **NOT DECLASSIFIED**.

**Pages 74 through 76: NOT DECLASSIFIED**

EU crime priority F (**Empact Trafficking in Human Beings**): “*Combat against all forms of trafficking in human beings and human smuggling by targeting the organised crime groups conducting such criminal activities in particular at the southern, south-western and south-eastern criminal hubs in the EU*”.

Driver: UK

Co-driver: NL

**NOT DECLASSIFIED**

## Drivers Report October 2012

The OAP regarding the priority area on THB was initiated on 1<sup>st</sup> January 2012 in accordance with Empact cycle. All of its Strategic Goals and actions have been actioned through the Member States and Agencies and the majority, as per the attached updated OAP, have been delivered against.

**NOT DECLASSIFIED**





EU crime priority G (**Empact MOCG**): *Reduce the general capabilities of mobile (itinerant) organised crime groups to engage in criminal activities".*

**NOT DECLASSIFIED**

Driver: BE

Co-driver: FR

**NOT DECLASSIFIED**

## Drivers Report October 2012

### Project EMPACT MOCG

#### Reporting to National EMPACT Coordinators

October 8, 2012

#### 1. GENERAL CONTEXT OF THE PROJECT

For a long time, the phenomenon of Mobile Organised Crime Groups (MOCG) was underestimated. The inclusion of the phenomenon in the EU's policy cycle priorities was appropriate and overdue considering their impact.

The members of MOCG tend to concentrate on property crime and fraud which were wrongfully considered to be merely "petty crime" by LEA and policy makers. The impact on society of MOCG is very important. The damage in terms of the value of the stolen property and illicit gains from fraud is enormous. When the crimes committed by MOCG are no longer considered isolated offences but rather series of offences committed by criminal organisations, there is no denying that MOCG are a real threat to our internal security. There are also other harms to society to be taken into consideration such as economic losses e.g. delays and repairs in the railway systems due to metal thefts, feelings of insecurity outside (e.g. pick pocketing) and inside our homes (e.g. burglaries), etc. Another important aspect is that these MOCGs use the illegal benefits to fund other types of (serious) organised crime and to extend their organisation.

When the individual offences like theft, fraud, etc committed by MOCG are thoroughly investigated, organisations and networks can be uncovered showing that the offences are not isolated crimes but rather part of a deliberate strategy.

**2. GOALS OF THE PROJECT**

**2.1. Basic principles**

In the first year the EMPACT MOCG-project is mainly focused on two major issues:

- **Enhancing the information flux** **NOT DECLASSIFIED**
  
- **Enhancing European collaboration** **NOT DECLASSIFIED**

## 2.2. Strategic goals<sup>1</sup>

During the MOCG Strategic Goals Workshop of 3-4 Oct 2011 in Brussels these strategic goals were determined:

- Strategic Goal 1: to have property crime committed by mobile (itinerant) organised crime groups recognised as an important problem at national level and reflected in national security strategies where relevant to Member States.
- Strategic Goal 2: to develop and maintain a comprehensive EU intelligence picture on mobile (itinerant) organised crime groups as the basis for an intelligence-led policing approach to tackle crime.
- Strategic Goal 3: to have prompt information exchange at the MS level involving all national law enforcement agencies and at EU level including EU agencies, in order to enhance detection, investigation and prosecution of mobile (itinerant) organised crime groups.
- Strategic Goal 4: to explore, develop and make use of innovative, multi-disciplinary and pro-active approaches to train, prevent and raise awareness on the activities of mobile (itinerant) organised crime groups.
- Strategic Goal 5: to ensure that mobile (itinerant) crime related investigations and prosecutions seek to disrupt criminal money flows and remove criminal wealth.
- Strategic Goal 6: the establishment, exploration and full use of tools and best practices to confirm the identity of targets and suspects.
- Strategic Goal 7: member States to identify and effectively address vulnerabilities in their legislation and procedures which are exploited by mobile (itinerant) organised crime groups to commit crimes.

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<sup>1</sup> ref. document : 15164/1/11 REV 1 JAI 709 COSI 76 ENFOPOL 339 CRIMORG 175  
ENFOCUSTOM 114 PESC 1235 RELEX 1004 JAIEX 103

### **3. OPERATIONAL ACTIVITIES – PROGRESS SEPTEMBER 15, 2012**

During the meeting of 24-26 October 2011, the strategic goals were translated into operational activities for 2012. The participating countries and agencies decided that in the first year (2012) 5 of the 7 strategic goals (strategic goals 2, 3, 4, 6 and 7) would be addressed with specific operational activities. Strategic goals 1 and 5 are planned to be addressed the following year (2013). Strategic goal 5 was postponed because of the EC's expected development of tools for asset recovery on a European level in the course of the year 2012.

#### **8 Operational activities are planned for 2012**

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

#### **4. ITEMS TO BE CONSIDERED**

##### **4.1. Situation report**

This report aims to enhance the intelligence-led approach that may be adopted at EU-level to tackle Mobile OCG. The report gives the picture of MOCG and the criminality they are involved in at the current moment. **NOT DECLASSIFIED**

##### **4.2. Strengthening the approach**

**NOT DECLASSIFIED**

**NOT DECLASSIFIED**

#### **4.3. Loopholes in legislation: strong impact**

A general overview concerning loopholes in the legislation in the MS which impede the fight against MOCG has not been compiled yet. **NOT DECLASSIFIED**

#### **4.4. OAP-methodology**

A new methodology to draw up OAPs was presented by Europol. It offers some interesting concepts, such as the facilitator, the brainstorming-session, the red team.

However, the timing to present this new methodology was not very convenient. As it was proposed only very shortly before the meeting, it proved difficult to integrate the new concepts in the prepared agenda in an efficient and effective way.

Therefore, we propose to introduce the facilitator and the red team in much earlier stage to the driver, e.g. 2 to 3 months before the meeting. This will allow for them to meet before, agree on an agenda, make clear arrangements and make the most of the offered support.





EU crime priority H (**Empact Cybercrime**): *“Step up the fight against cybercrime and the criminal misuse of the internet by organised crime groups”.*

Driver: RO

Co-driver: None

**NOT DECLASSIFIED**

## Drivers Report October 2012

**NOT DECLASSIFIED**

**NOT DECLASSIFIED FROM THIS POINT UNTIL THE END OF THE DOCUMENT**

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