



Council of the
European Union

Brussels, 23 December 2015
(OR. fr)

15566/15

LIMITE

JAI 1028
COSI 198
ENFOPOL 430
CRIMORG 131

NOTE

From: French delegation
To: COSI
Subject: Comments on the Blue Amber joint action days

At the COSI meeting on 16 December 2015, the French delegation informed the Council of its intention to provide a written contribution regarding the 2015 joint action days.

Accordingly, the French authorities wish to make the following comments on Operation Blue Amber.

1. General comments:

In 2014 it was decided that joint action days (JADs) would be organised as part of the EU policy cycle for the fight against organised crime. This involved setting up simultaneous joint police and customs operations at European level, with clear links to the priorities of the EU policy cycle. This set of operations, referred to as Archimedes, took place over two weeks in September 2014 and, as well as producing some valuable operational results, was an opportunity to test coordination mechanisms and generate media interest in how the EU tackles what are considered to be priority crimes within Europe.

Following analysis of the feedback, the decision was taken to repeat this initiative in 2015 in a different format. The 2015 JADs, named Operation Blue Amber, did not all take place at the same time but were spread throughout the year according to thematic area (see annex). There was an increased presence on the ground due to the fact that Blue Amber ultimately took place over 30 days (as opposed to 10 for Archimedes). In order to meet operational needs more effectively, the 2015 JADs were more firmly based on a prior analysis of crime data. The Member States remained responsible for planning these operations via the various priority drivers and action leaders.

Notable outcomes of Operation Blue Amber at European level include:

- the launching of new investigations in certain Member States;
- improved knowledge of how certain criminal groups operate (e.g. people smugglers and drug traffickers were using the same criminal infrastructure in terms of transport);
- the arrest of more than 800 individuals, including 60 people smugglers and 257 people involved in drug trafficking;
- a large number of seizures (e.g. 7.7 tonnes of drugs, 1 400 tonnes of metal, 59 firearms and 254 vehicles);
- increased participation of partners such as Eurojust, Frontex, Interpol, Tispol, Selec and third countries (see Global Airline Action Days).

Despite these results, which are valuable in absolute terms, it is regrettable that:

1. a number of operations over the course of the year were labelled as JADs without a common thread having been identified;
2. a significant number of operations were actually national measures, without any real coordination at European level;
3. there was a lack of continuous feedback following each operation (achievements, good practices, reasons for operational successes or failures, etc.).

In terms of the media aspect, Europol took into consideration the comments made by participants during previous JADs. Thus press conferences and other communication activities were more often organised at national level, albeit with a common schedule, and no longer exclusively at Europol. On the other hand, the new format adopted for Blue Amber does not generate the same media visibility as Operation Archimedes. For its part, France conducted an information campaign on Operation LUXCAR (30 September to 1 October), highlighting the work of the French operational services involved in this operation. That being so, Europol is proposing a combination of the two previous formats, i.e.:

- one week-long operation on a particular theme, in order to increase media visibility,
- complemented by several smaller-scale operations in operationally more specific thematic areas.

2. Improvement measures proposed by France:

Measure 1: Clear definition of joint action days

JADs are included in virtually every operational action plan in 2016. They still remain a controversial concept, mainly because of the lack of a clear definition and a corresponding approach (differentiating them from high-impact operations (HIOs), joint police operations (JPOs), operations launched as part of a joint investigation team (JIT), etc.). Furthermore, it is noted that many operations are falsely called JADs (e.g. operation LUXCAR, which was more akin to a joint police operation, i.e. a type of police operation that has been organised by each EU presidency for a number of years). This lack of a definition causes confusion and limits the value of the operations. We therefore suggest that a clear definition of joint action days be established.

Measure 2: Improvement of the planning method

As there is no definition of joint action days, there is as yet no common European approach to the rationale for these operations which is understood by all parties. We therefore recommend implementing an approach based on:

- the establishment of a procedure to help those responsible for the organisation of JADs (e.g. a concept of operations (CONOPS) for JADs);
- the mandatory organisation of a planning meeting prior to operations, with all stakeholders represented and feedback gathered at the end. As a minimum, this feedback would be forwarded to the National EMPACT Coordinators (NECs).

Measure 3: Strategic guidelines on the substance

As regards the joint action days planned for 2016, we propose the following strategic lines of action for the purpose of improving the initiative:

- firstly, it is essential to focus major efforts on the operational priorities that receive greatest media coverage, namely the fight against the facilitation of illegal immigration and the fight against firearms trafficking. In order to be truly effective, the JADs on these two priorities must be adapted to specific operational contexts and based on real intelligence gathered in advance. As regards the fight against illegal immigration, a particular effort is needed to combat document fraud. As regards the fight against firearms trafficking, the aim could be to create a feeling of insecurity among small-scale traffickers (the operational value of a major operation in this area is very limited) via targeted checks based on prior criminal intelligence, over a significant period (about one month), on the main trafficking routes, endeavouring to systematically feed intelligence back to the Firearms Focal Point;

- secondly, strengthening of the link between JADs in 2016 and major European events. For Euro 2016, an operation has already been planned under Action 4.5 of the OAP on counterfeiting, including in particular measures on the trafficking of counterfeit Euro 2016 products. A more cross-cutting approach could be achieved by extending the scope of this action to other areas of criminality in the context of Euro 2016, such as pickpocketing and business aviation (recurrently used by traffickers for delivery);
 - finally, JADs could correspond to an operational period allowing greater focus on areas of criminal activity such as port areas and container flows, with checks scheduled for periods identified as being relevant (e.g. as regards cannabis trafficking, for the time when stocks are being disposed of before the start of the new harvest).
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OVERVIEW OF THE *BLUE AMBER 2015* JOINT ACTION DAYS

OPERATIONS	DATES	THEMATIC AREAS	COUNTRIES
<i>Turnstone</i>	4 to 10 May	Fight against trafficking via ferries in Scandinavia	EE, LV, LI, PL, SE, FI, NO
<i>Metal Theft</i>	27 May	Fight against metal theft	AT, BE, BG, CY, FI, FR , DE, EL, IE, IT, LT, PL, PT, RO, ES, UK
<i>Voyager</i>	29 May	Operation targeting long-distance buses	BE, BG, CZ, FR , HU, IE, IT, LT, LV, NL, PT, SI, SE, UK
<i>Hit 2</i>	1 to 3 June	Fight against vehicle-related crime	AT, BG, ES, EL, HR, HU, IT, LV, MT, PL, RO, SI et CH, FYOM, BO, SRB, ALB, MD, ME
<i>Drugs Action Days 1</i>	15 to 19 June	Fight against all types of drug trafficking	AT, DE, HU, IE, IT, NL, PL, PT, LV, LT, SE and CH, CO
<i>Airline Action Days 1</i>	16 and 17 June	Online payment fraud, irregular immigration	54 countries, including FR
<i>Sirocco</i>	23 and 24 June	Fight against the facilitation of illegal immigration in south-east Europe	AT, BG, HU, RO, SI and MD, BO, SRB, ME, ALB, FYOM
<i>Drugs Action Days 2</i>	21 and 25 September	Fight against all types of drug trafficking	No info received
<i>LUXCAR</i>	30 September and 1 October	Operation targeting criminal activities in the Western Balkans	No info received but FR
<i>VULCANO</i>	1 to 4 October	Arms trafficking in the Balkans	No info received but FR
<i>Airline Action Days 2</i>	4 to 6 November	Online payment fraud, irregular immigration	31 countries, including FR
<i>Magpie</i>	4 and 5 November	Fight against document fraud	CH, CY, DE, EL, ES, PL, PT, RO, NL, UK, FR
<i>THB</i>	4 to 6 November	Fight against trafficking in human beings/children	BE, CH, CY, CZ, DK, ES, PL, PT, RO, UK
<i>Silver Axe</i>	16 to 27 November	Counterfeiting of goods posing a risk to public health	No info received