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LIMITE

**COSI 73
JAIEX 89
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NOTE

From: Presidency
To: COSI

No. prev. doc. 15248/09 JAI 784 CORDROGUE 69 COAFR 348 ENFOPOL 280
8821/10 JAI 320 COSI 20 CORDROGUE 40 CRIMORG 79 JAIEX 39
5069/3/10 REV 3 CRIMORG 3 CORDROGUE 4 JAIEX 7 COAFR 3 COSI 5
MIGR 11

Subject: Coordination of cooperation in combating organised crime, especially drug trafficking, originating in West Africa

1. Introduction

The security situation in West Africa, characterised by the existence of criminal gangs which carry out a multitude of criminal activities, has been a concern for the Council for the past few years, as reflected in a number of its conclusions:

- Council conclusions on the strengthening of the fight against drug trafficking in West Africa (doc. 15248/1/09 REV 1 JAI 784 CORDROGUE 69 COAFR 348 ENFOPOL 280)
- European pact to combat international drug trafficking - disrupting cocaine and heroin routes (doc. 8821/10 JAI 320 COSI 20 CORDROGUE 40 CRIMORG 79 JAIEX 39)
- Implementing the strategy for the external dimension of Justice and Home Affairs, Action-oriented paper: Strategic and concerted action to improve cooperation in combating organised crime, especially drug trafficking, originating in West Africa (doc. 5069/3/10 REV 3 CRIMORG 3 CORDROGUE 4 JAIEX 7 COAFR 3 COSI 5 MIGR 11)

The Belgian Presidency has continued the work on this matter, notably by organising the joint conference with Interpol on the External dimension of EU police cooperation in West African countries (30 September 2010), the results of which are set out in doc. 15331/10 COSI 68 JAIEX 81 CORDROGUE 90 CRIMORG 184 COAFR 372 as well as another meeting of liaison officers (LO) in Dakar on 12 October 2010 (see report in doc.16059/10 ENFOPOL 324 COAFR 394 JAIEX 85). The Presidency also welcomes in this context the first efforts undertaken by the French delegation with a view to implementing the Drugs Pact regarding the cocaine route.

2. Aim

COSI has the role and mandate to translate political tasking into operational work and to transmit operational needs to the political level.

Therefore and on the basis of the work referred to in the introduction, **the current document invites COSI to discuss and decide on a number of concrete issues aimed at**

- **ensuring more and better cooperation between different actors within the JHA area involved in this matter**
- **propose ways to use funding and projects more efficiently**
- **assessing a number of tasks and deciding on their follow-up.**

3. Proposals

3.1 Reporting to Council

The "AOP" (doc. 5069/3/10 adopted in April 2010) requests reporting every 18 months to monitor its implementation, i.e. a first report would be expected by the end of 2011.

The "2009 conclusions on the fight against drugs trafficking" ask for a reporting to the relevant Council bodies without setting a specific deadline and to Council "as soon as particular progress has been made".

The "Drugs Pact" requests a "periodical review" by the Council of the state of the implementation of the pact, following recommendations of COSI.

Proposal:

In order to provide a more coherent view for all actors involved and in particular for the Council, COSI is invited to coordinate all of the above reports and adopt one of the following options

- there should be no systematic reporting to Council but a regular follow-up by COSI on concrete issues; according to the needs and depending on the progress made, COSI could obviously decide to submit documents to the Council in this matter, ensuring that all relevant JHA and other partners are involved
- one report, coordinated by COSI, but involving the different working groups in its preparation will be submitted to Council [every x months] and this will include input from the Commission and relevant third parties.

The proposed reporting should also be considered in the light of the reporting required under the EU policy cycle on serious and organised crime.

3.2 Use of funding

The 2009 Council conclusions on strengthening of the fight against drugs trafficking in West Africa (doc. 15248/1/09 REV 1) state that the matrix of current programmes/projects shall be updated every 6 months and encourages the Commission to regularly inform the Member States as well as beneficiary countries of the development of its expenditure plans in the region. Moreover, these conclusions encourage interested Member States to develop, in association with Europol and the Commission, a proposal for the establishment of a central coordinating structure to agree priorities for and de-conflict capacity building/technical assistance and identify possible sources of funding. In practice, the matrix is updated about twice a year in the framework of the HDG, including projects run by USA partners and is distributed as an informal document to the HDG.

The "Drugs Pact" (doc. 8821/10, p. 7, 1st bullet point) refers to the 2009 conclusions and requests coherence between MS-led and COM cooperation activities in training as well as an ad hoc flexible and consultative mechanism to coordinate technical assistance.

The AOP asks that the fullest use be made of the potential of the matrix and provides some suggestions for its improvement (doc. 5069/3/10 REV 3, p. 12).

The "Fontanot group", consisting of representatives of the national departments for international relations from a number of Member States¹ has been meeting informally twice a year since July 2008. The group discusses and coordinates national projects, also using the "HDG matrix", aiming to achieve mutual benefits and prepare common or joint projects, taking into account national priorities of project leader and other members interested in the same project.

It should be noted that the UNODC has developed a tool in the framework of the Paris Pact Initiative² which is the *Automated Donor Assistance Mechanism (ADAM)*, an internet-based tool for the coordination of technical assistance in the field of counter narcotics. It is designed to automatically provide essential information for avoiding duplication of activities and projects, as well as for coordinating donor assistance.

Proposal

To improve the content of the matrix, it is proposed that COSI requests the HDG

- to adapt the format of the matrix to make it more user-friendly and allow targeted searching
- to include not just current projects but also planned projects
- with the help of the COSI Support Group, to widen the scope of the matrix to include all projects relevant in combating organised crime as well as projects initiated by UNODC, Interpol, WCO, relevant third states, partners and other international bodies and organisations (as suggested by the Council in the AOP, p. 12) and drug demand reduction activities.

To improve the distribution of the matrix, it is proposed that COSI requests

- the Council General Secretariat to swiftly issue the matrix as a Council document destined for HDG, JAIEX, COAFR, COSI, CCWP, GENVAL; to facilitate the swift distribution by the MS to LO central services, the Fontanot group and the regional platforms; finally to ensure the swift distribution to the relevant third parties contributing to the matrix
- the Commission to ensure a swift and targeted distribution within all its relevant services
- that, in due time, the matrix be made available to the EEAS.

¹ Currently BE, DE, ES, FR, IT, PT and UK.

² The Paris Pact Initiative is a UNODC-led partnership of over 50 countries and international organizations, aiming to combat Afghan opiates trafficking and consumption.

To improve the use of the matrix, it is proposed that COSI requests

- the Fontanot group to collect the needs for assistance using any input of the Accra and Dakar platforms and other LO in the region and by consulting the mini Dublin groups
- the Fontanot group to provide an informal interface for facilitating the coordination of technical assistance projects
- each Member State as well as the Commission to ensure that the matrix is consulted and updated before/when new projects are planned
- relevant third parties such as Interpol, UNODC,... to participate to the matrix mechanism through a designated point of contact.

Finally, it is proposed that COSI asks Europol and the Commission (cf. 2009 conclusions) to examine the possibility to provide a tool (with similar functionalities as ADAM) for the projects related to organised crime in West Africa and report on the feasibility by [date]. This feasibility exam could look at the Europol Platform for Experts (EPE) for the technical implementation and at the implementation of such an application in the Interpol Dashboard (I/24-7).

3.3 LO "platforms" / "regional centres"

All three Council documents mentioned in the introduction include language on the reinforcement, consolidation and coordination of the so-called "LO platforms" or "regional centres".

It should be clarified that both the Accra and Dakar "platforms" actually consist of weekly meetings of a number of LO (less than 10) posted in the region, on a voluntary basis, with a minimum of logistical support provided by UK and FR and without dedicated budget. A summary report on the activities of these platforms can be found in annex.

Reinforcing and consolidating these platforms will therefore require some decisions that cannot be left to the experts, in particular the Drugs Pact project group on cocaine.

Proposal

COSI is invited to firstly establish whether to keep status quo (because it is considered sufficient or because budgetary restrictions do not allow for a change in the foreseeable future) or whether reinforcement is needed *and* possible.

In the latter case, COSI should discuss how the consolidation will be done (the options are not mutually exclusive):

- option A: Member States commit to post more LO in the region - or optimise their use - and ensure that these will participate in the platform (with the current format of weekly meetings); in this case, the relevant LO central services should be tasked to take this into account and might wish to consult each other on how best to distribute their postings
- option B: some of the funding dedicated to this matter (national [...] or international) would be used for setting up some infrastructure; in this case, the Drugs Pact project group could be requested to examine with COM [and the Fontanot group] how this can be done in practice; however, this option also implies that Member States commit to send the necessary human resources as in option A
- option C: should Europol be asked to examine the possibility of sending a (travelling) LO to support/consolidate the platforms (see also point 3.4)
- option D: should the possibility be examined to ask Interpol to use its resources in the region to support/consolidate the platforms

Depending on the answers to the above questions regarding the existing platforms, COSI should draw conclusions on the necessity and feasibility of establishing new platforms. If new platforms could be considered, COSI might wish to task the [Drugs Pact cocaine project group] to examine where such platforms should be best placed and what resources needed to be successful.

3.4 Exchange of information

Exchange of information being the basis for any cooperation, it is stressed in the AOP, the "Drugs Pact" and the 2009 Council conclusions that the exchange of information and intelligence between the different involved partners shall be improved. Apart from the two LO platforms (cf. point 3.3), the main concerned actors are Europol, MAOC-N, CECLAD-M as well as some other third parties (such as Interpol, JIATF, WCO).

Suggestions are made both in the "Drugs Pact" and in the AOP to establish secure ICT connections between the various players.

Proposal

While there is no doubt about the need for an improved information exchange, COSI should discuss the different options for doing so. The decision on this point will also depend on what option(s) is (are) chosen under point 3.3.

- in the short term, the only realistic possibility to improve the transmission of information both to Europol and to centres such as MAOC-N, CECLAD-M and JIATF seems to be a more sustained exchange via the national authorities of the concerned LOs/platforms; to support this information exchange Europol could deploy its mobile office to these platforms in short notice; in that context, FR and UK, which provide the respective coordinators of the platforms, are invited to explain whether and how they can commit to do so
- depending on the option chosen under point 3.3, a Europol (travelling) liaison officer in West Africa would evidently allow a serious improvement in the transmission of information to Europol as well as to MAOC-N, CECLAD-M and even JIATF.
- for the longer term, COSI is invited to indicate to the Drugs Pact cocaine project group whether and when the ICT connections foreseen to be in place as from January 2011 could be envisaged: depending on the answers to point 3.3, COSI might indicate that the proposals for a secure ICT network and a permanent SIENA terminal are not cost-efficient for the current situation and should either be postponed or their feasibility reviewed at a later stage, taking into account the functioning of the deployment of the Europol mobile office as a cost-effective temporary solution;
- The regular LO meetings organised in West Africa have to include a part that is limited to EU partners, where notably any specific requests for information or discussion from COSI could be dealt with and/or a report is drawn up for COSI to allow it to follow-up the situation and take the necessary policy decisions
- COSI is invited to consider other options as well.

4. Way forward

The outcome of COSI's discussion on the basis of the current document will be transmitted to the relevant bodies and actors with a view to their implementation or further examination.

COSI should indicate at what point in time it wishes to return to these issues and task the COSI SG to do the regular follow-up with the different involved parties.

Since the current document only deals with a limited number of issues, COSI will be invited to examine further aspects regarding the security situation in West Africa and notably to discuss the cooperation with other Council policies (CFSP and in particular CSDP). In that context, account should be taken of the concerns set out in document 6988/10 JAIEX 23 RELEX 175 CATS 21 COAFR 76 CORDROGUE 28 CRIMORG 41 regarding "EU JHA cooperation in West Africa and the Sahel".

Summary report on the Accra and Dakar platforms

Plans to combine the efforts of liaison officers in terms of the exchange of operational intelligence or technical cooperation had been discussed by the Member States since the end of 2008.

Regarding the exchange of operational intelligence, a meeting held in Paris on 3 February 2009 between the United Kingdom (SOCA) and France (SCTIP and DCPJ) laid the foundations for two platforms to be set up consisting of liaison officers from the Member States present in West Africa.

The purpose of the platforms was to set up formal structures that allow the liaison officers present in the area to exchange operational intelligence confidentially and to develop strategies on investigations and subjects of shared interest (related mainly to combating drug trafficking).

The Accra platform, located in the secure compound of the British High Commission in Ghana, became operational on 15 May 2009. It enables French, German, British and Spanish liaison officers to exchange operational intelligence on the southern region of West Africa. Representatives of the United States attend monthly meetings.

The UK authorities funded the creation of this platform using their own resources.

The Dakar platform, at the French Embassy in the Senegalese capital, has been active since 22 June 2009. Initially housed in the SCTIP delegation's meeting room, since 23 November 2009 the platform has occupied dedicated premises (16m²) within the French Embassy. Those premises have been fully furnished and provided with office and IT equipment using resources made available to the SCTIP delegation in Dakar by the Interdepartmental Mission for the fight against drugs and drug addiction (MILDT). The budget for this work in 2009, which was spent in its entirety, was EUR 20 000. For 2010, France is providing a sum of EUR 10 000 to finance the continuation of this work.

Spain, the UK, Portugal and France are represented at the bimonthly meetings organised by France. The French customs service's regional attaché in Dakar also attends the meetings.

The local representative of the FBI is regularly invited to attend the platform's meetings.

Several operational investigations concerning the northern part of West Africa are currently being conducted jointly within the platform.